

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

B.P. a minor, by and through their parent, L.P.;
C.L. a minor, by and through their parent, K.L.;
O.D. a minor, by and through their parent;
N.D., R.J. a minor, by and through their parent,
H.J.; L.H. a minor, by and through their parent,
S.H.; O.P. a minor, by and through their parent,
S.P.; E.H. a minor, by and through their parent,
M.H.; L.S. a minor, by and through their
parent, B.P.; G.E. a minor, by and through their
parent, A.E.; M.B. a minor, by and through
their parent, R.B.; and G.A. a minor, by and
through their parent, A.A., each a minor
resident of the North Allegheny School District
attending a North Allegheny School District
School or a parent of the same,

Plaintiffs,

21-1112

v.

NORTH ALLEGHENY SCHOOL
DISTRICT, a Pennsylvania governmental
entity, ANDREW CHOMOS, MARCIE
CROW, ELIZABETH BLACKBURN,
RICHARD MCCLURE, SCOTT E.
RUSSELL, ALLYSON MINTON, KEVIN
MAHLER, ELIZABETH WERNER,
and SHANNON YEAKEL, all individual
elected officials sued in their individual
capacity and in their capacity as members of
the NORTH ALLEGHENY SCHOLL
DISTRICT BOARD OF DIRECTORS, a
Pennsylvania elected legislative body,

Defendants.

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS'
MOTION FOR TEMPORARY RESTRAINING ORDER**

- I. Overview – The Board Policy Manual Requirements Charge the Superintendent with oversight and control of health guidelines and universal precautions to be implemented for the School District. On August 13, 2021, after consulting with medical professionals the Superintendent implemented a universal masking policy for the School District. The School Board, without providing the required**

notice to the public and required two meetings prior to making a School District Policy Change violated Due Process by revoking the School District Policy of Universal Masking at a working Board Meeting on August 18, 2021.

The North Allegheny School Board Policy Manual, Section 200 – Pupils, Immunizations and Communicable Diseases, Code 203, Adopted November 18, 2015, Section 203 - IMMUNIZATIONS AND COMMUNICABLE DISEASES sets forth, in pertinent part:

I. Purpose

It is the School District's responsibility to safeguard the welfare of all students and staff and affirms that the classroom/workplace environment should be such that it promotes the physical well-being of students, employees, and the public.

* * * * *

IV. Guidelines

B. Communicable Diseases

iv. The Superintendent or designee shall direct that health guidelines and universal precautions designed to minimize the transmission of communicable diseases be implemented in the North Allegheny School District's programs.

* * * * *

E. Education

i. Instructions regarding communicable and life-threatening diseases shall be provided by the schools in the educational program for all levels.

Title 22, Sec. 4.29

As will be shown herein, the Superintendent, after consulting with the School and County medical authorities and reviewing CDC guidelines, and the transmission rate in Allegheny County has entered the “high” infection rate category, determined that universal masking was necessary for the School District. An email was sent to the entire School District on August 13, 2021 announcing the School District’s policy directing that Universal Masking in all school buildings was required starting August 16, 2021.

The School Board, without required notice to the public and a first and second reading of any School District policy change, at a working meeting of the Board on August 18th approved motion by a 6 to 3 vote to change the School District’s policy established by the Superintendent pursuant to 200 – Pupils, Immunizations and Communicable Diseases, Code 203, IV.

As further shown herein, this change of School policy violates the Due Process clause of the 5th and 14th Amendments to the United States Constitution, since notice and a hearing were not provided pursuant to the established and mandatory School Board procedures.

Further, it has been determined on good authority that the School Board in contravention to 200 – Pupils, Immunizations and Communicable Diseases, Code 203, IV. Guidelines, E. Education (i), has directed the teachers to NOT talk about masks to the students.

As additionally shown herein, the Board has violated Due Process, violated the requirements of its own Policy Manual, and exceeded the scope of its authority.

Accordingly, all that Plaintiffs are asking the Court to do is to return the Status Quo of requiring universal masking as was directed by the North Allegheny School Superintendent on August 13, 2021.

FACTUAL BACKGROUND

A. North Allegheny School District and the Board of Directors

North Allegheny School District (“NASD”) is the second largest School District in Allegheny County. Its School Board is comprised of these nine individuals: Andrew Chomos, Marcie Crow, Elizabeth Blackburn, Kevin Mahler, Richard McClure, Allyson Minton, Scott E. Russell, Elizabeth M.J. Warner, and Shannon Yeakel. Andrew Chomos, the President of the School Board, has a Bachelors Degree in Business and Accounting. Marcie Crow, the Board’s Vice President, has a Bachelor of Science in Elementary Education and a Masters of Education K-12. She has principal certifications in both elementary and secondary education. She also holds teaching certifications in English and Multi-Genre Writing from Oxford University. Elizabeth Blackburn has a degree from Kenyon College. Upon information and belief, Ms. Blackburn’s degree is not in medicine. Kevin Mahler has an undergraduate degree in Sociology and

Anthropology from Duke University and an MBA from the University of Pittsburgh. Richard McClure has an undergraduate degree from Geneva College. Upon information and belief, Mr. McClure's degree is not in medicine. Allyson Minton has BA in History and Secondary Education from Washington College. Scott E. Russell has a degree in Computer Science from Indiana University of Pennsylvania and is currently enrolled in a Masters in Cybersecurity program at St. Bonaventure University. Elizabeth M. J. Warner has degrees in Civil Engineering and Engineering and Public Policy from Carnegie Mellon University and a Masters Degree in Environmental Engineering from Johns Hopkins University.

This nine-member Board unanimously appointed Melissa R. Friez, Ed.D., to serve as Superintendent of Schools, effective July 1, 2021. As Superintendent, Dr. Friez is charged with the administration of NASD. Conversely, the North Allegheny School District website states that the Board "sets the exemplary standards that best serve the interests of the children and the residents of the District." <https://www.northallegheny.org/Page/1039>.

According to the Board Policy Manual, the Board considers one of its most important functions to be Legislative or Policy Making. *See* Board Policy, Section 000, Code 002, Sec. 2(D)(i), attached hereto as **Exhibit A**. This same Board Policy states "Board procedures and policies shall be consistent of law, have a rational and substantial relationship to a legitimate purpose of the Board, and be directed toward the maintenance and support of a thorough and efficient system of public education in this District." *Id.* This Policy section also states "[t]he Board is responsible for acquiring the reliable information from responsible sources which will enable it to make the best possible decisions about the scope and nature of the educational program." *Id.* at sec. II(D)(ii).

B. NASD's Back to School Planning

In February 2021, the District formed a Back-to-School Planning Committee (the "Planning Committee") for the 2021-2022 School Year. The Planning Committee is comprised of: the North Allegheny Executive Council, School Administration, North Allegheny Federation of Teachers, the Education Advisory Council ("EAC"), the Secondary Advisory Council ("SAC"), Superintendents' Parents' Liaison Committee ("SPLC"), the Student Services Advisory ("SSA"), and members of the Health Services and Medical Community.

The Planning Committee met bi- in March, April, May, and June of 2021. In May, the District surveyed parents/guardians to gauge their interest between In-Person Instruction and NA Cyber Academy for the 2021-2022 school year. Ninety-four percent of parents/guardians responded to the survey, and 94.4% of those who responded (or 7,543 of 7,993), said they plan to select In-Person Instruction. Following these planning meetings and taking into account the results of the parent survey, the Planning Committee used a collaborative approach to develop the Health and Safety and Education Plans for the 2021-2022 School Year.

C. Communication of the District's Health and Safety and Education Plans to District Families

On June 17, 2021, Dr. Friez sent a district-wide email to parents concerning the Health and Safety and Education Plans for the 2021-2022 School Year and linked the plans to the email. Dr. Friez informed District parents that "These plans were created with the information that we know now. The District will continue to follow local, Commonwealth, and national guidance, which may require our plans to change." Email from M. Friez to North Allegheny School District Parents/Guardians, June 17, 2021, attached hereto as **Exhibit B**.

The Plan stated that “The District will continue to *follow* local, Commonwealth, and federal guidance, which may require our plans to change.” *See* Back to School Plan, Draft Published June 16, 2021 (the “Plan”), attached hereto as **Exhibit C**, p. 2; *see also* p. 12 (“The North Allegheny School District 2021-2022 Health and Safety Plan was developed based on local, Commonwealth, and federal guidance as of June 16, 2021”). The District’s mask policy at this time was as follows:

- Students and staff are required to wear face coverings in accordance with the order of the Pennsylvania Department of Health requirements.
- As of June 28, 2021 or when 70 percent of adults get their second dose, whichever comes first, the Commonwealth’s mask order can be lifted. At this time, the District will not require face coverings after June 28, unless directed to do so by local, Commonwealth, and/or federal guidelines.
- Students and staff may choose to wear a face covering, even if we are not required by local, Commonwealth, and/or federal guidelines.

Id. at p. 13.

The final paragraph of the June 16 Plan stated it was subject to change. Specifically, the Plan stated: “This document was drafted on June 16, 2021 and is subject to updates. If and when the circumstances surrounding the COVID-19 pandemic change, the federal, Commonwealth, and local guidance may also change.” *Id.* at p. 17. On June 23, 2021, the Board voted to approve the June 16, 2021 Health and Education Plans.

D. COVID-19 Cases Begin Spiking in Allegheny County; National, Commonwealth, and County Health Agencies Recommend Universal Masking in K-12 Schools

For the week beginning June 13, 2021, the Allegheny County Health Department reported 66 confirmed and 74 probable COVID-19 cases.¹ By mid-July, Allegheny County was beginning to experience a surge in cases, which health experts were attributing to the highly

¹ *See* Allegheny County Health Department Covid-19 Summary, https://tableau.alleghenycounty.us/t/PublicSite/views/COVID-19Summary_1622279737570/COVID-19Summary?:showAppBanner=false&:display_count=n&:showVizHome=n&:origin=viz_share_link&:isGuestRedirectFromVizportal=y&:embed=y, last accessed August 21, 2021.

contagious Delta variant. For the week beginning July 11, 2021, Allegheny County Health Department reported 176 confirmed and 72 probable cases.²

On July 19, North Allegheny School District Parents/Guardians were instructed to make their enrollment selections for the 2021-2022 School Year, selecting between in-person instruction and the North Allegheny Cyber Academy. *See* District Email to North Allegheny School District Parents/Guardians, July 19, 2021, attached hereto as **Exhibit D**. The deadline for enrollment was July 25 and anybody who did not make a selection by that date would automatically be enrolled for in-person instruction. *Id.* Parents could not change their enrollment selection until January 2022.

Various District parents and guardians contacted the District prior to making their enrollment selections to inquire about the District's mask policy in light of the rising number of COVID-19 cases in the county. The District responded by stating that it was continuing to monitor the situation and might require face coverings:

The District will continue to monitor the spread of COVID-19 within our school community and is prepared to quickly make decisions to increase prevention strategies. The District may decide to require face covering for reasons such as (but not limited to): community spread of the illness in classrooms, individual school buildings, and across the district, or a change in the community transmission level in the county. This also includes regular consultation with the Allegheny County Health Department and our District physician. In addition to these measures, the District will comply if it is mandatory to implement face coverings by local, Commonwealth, and/or Federal officials.

As we approach the 2021 -2022 school year, our administration and staff will continue to ensure that our schools remain safe, caring, and respectful learning environments. As a District we are committed to implementing prevention strategies to keep our students and staff healthy and safe.

Email from M. Friez, July 21,2021, attached as an **Exhibit E**.

² *Id.*

Plaintiffs made their enrollment selections based on the District's stated commitment to monitoring the Covid-19 pandemic and adjusting the Back to School Plan to require masks based on the referenced data points and consultation with the ACHD and District Physician. Plaintiffs relied on the District's past practices, including requiring masks in the previous year and stated commitment to monitoring health data.

On July 27, the Centers for Disease Control "recommend[ed] universal indoor masking for all teachers, staff, students, and visitors to schools, regardless of vaccination status." <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>. On August 4, 2021, the CDC stated, "Due to the circulating and highly contagious Delta variant, CDC recommends universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status. <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>. The Pennsylvania Department of Education and the Allegheny County Health Department aligns themselves with the CDC's universal mask recommendations. See <https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/SchoolReopeningGuidance/ReopeningPreKto12/CDCGuidanceInf>, and <https://www.alleghenycounty.us/Health-Department/Resources/COVID-19/Frequently-Asked-Questions.aspx>. On August 2, 2021, Allegheny County moved to the substantial transmission level of the COVID-19 virus. See Exhibit, Allegheny County Transmission Level Data from CDC, obtained from <https://covid.cdc.gov/covid-data-tracker/#county-view>.

E. The District Updates Its Health and Safety Plan, Requiring Universal Masking

On August 10, 2021, Dr. Friez sent a welcome email to parents in the District. In it she reiterated the statement made in prior correspondence with various District parents, stating, "As

was shared in the Back to School Plan, the District will continue to monitor the spread of COVID-19 within the school community and is prepared to quickly make decisions to increase prevention strategies. The District may decide to require face coverings for reasons such as (but not limited to): community spread of the illness in classrooms, individual school buildings, and across the District, or a change in the community transmission level in the county. This also includes regular consultation with the Allegheny County Health Department and the District physician.” Email from Dr. Friez to Parents/Guardians, August 10, 2021, attached hereto as **Exhibit F**.

On August 13, 2021, as Covid-19 cases continued to rise, Dr. Friez informed the District that an update to the Health and Safety Plan was needed:

In order to honor the commitment to five days of in-person instruction and the need for our students to return to school to a safe environment with as few interruptions as possible, NASD will require face coverings indoors for students, staff, and visitors for grades K-12 beginning Monday, August 16.

This decision to consider universal masking is a result of several factors:

Analyzing COVID-19 data from last school year, as well as county and community statistics over the past month.

Consultation with the Allegheny County Health Department and District Physician.

Changes in the quarantine procedures that would negatively impact our ability to ensure consistent in-person instruction for all students.

Next week, an update to the District’s Back to School plan will be shared during the NASD Board of School Directors meeting. The draft presentation for Wednesday night, which includes the rationale for this change and other updates to the Health & Safety Plan, can be found here.

Email from Dr Friez to District Parents, August 13, 2021, attached hereto as **Exhibit G**. The presentation informed that, under last year’s CDC guidance, NASD was required to quarantine all students within six feet or more, regardless of their use of a face covering. Under the updated CDC

guidance, if both the infected and the exposed students correctly and consistently work well-fitting masks, the exposed, but correctly masked, students do not need to quarantine. *See* 2021-2022 Health and Safety Plan Update, August 18, 2021, at p. 6, attached hereto as **Exhibit H**.

The District analyzed the quarantining data from the 2020-2021 school year, noting that 9,923 quarantine notes were issued during that year. *Id.* at p. 8. Robust details on number of students and staff quarantined was provided, showing that 2,228 students were quarantined once, while 2,335 students were quarantined more than once. *Id.* One student was quarantined nine times. *Id.* Data from the Allegheny County Health Department established that case of school age children 5-18 had increased steadily over the past four weeks, from 28 in the week of July 10-16, to 168 during the week of August 7-13. *Id.* at p. 15. Similarly, cases in the North Allegheny School District municipalities were increasing. *Id.* at p. 16.

The District's Health Services had been having weekly meetings with the District Physician since July to review county and local data and guidelines. *Id.* at p. 17. "Based on these discussions, to avoid large numbers of quarantines and to maximize in-person learning while providing a safe learning environment for students and staff, the group agreed that requiring masks was necessary." *Id.*

On August 14, 2021, Allegheny County's Covid-19 community transmission level was moved from substantial to high. *See* Allegheny County Transmission Level Data from CDC, obtained from <https://covid.cdc.gov/covid-data-tracker/#county-view> last accessed August 22 2021.

F. At the NASD August 18, 2021 Board Meeting, Without Prior Notice, the Board Votes to Eliminate Universal Masking and Make Masks Optional

As is customary, the NASD Board Meeting Agenda was posted on the School Board's

website the day prior to the meeting, August 17, 2021. The Agenda included a line item under Section C., Reports, for Dr. Friez's presentation of the Back to School Plan Update. *See* Agenda for NASD Board Meeting, attached as an **Exhibit I**. There was no indication under Section D., Special Meeting Voting Items, that the Board would vote on the Back to School Plan Update. *Id.*

As the August 18th Meeting approached, community members learned that the District had eliminated two safety accommodations that had been implemented during the pandemic: 1) they moved the meeting from the spacious North Allegheny Senior High School auditorium to the much smaller Board Room at the Central Administration Office; and 2) they prohibited speakers from calling in with their remarks. All comments had to be made in person. Although the mask requirement for staff and visitors had gone into effect on August 16th, Board Vice President Marcie Crow and Director Elizabeth Blackburn violated the District's policy by attending the August 18 meeting unmasked. During the meeting, Director Andrew Chomos expressed his dislike for masks and removed his mask.

During the meeting, Dr. Friez presented the 2021-2022 Health and Safety Plan Update to the Board and community attendees. In addition to sharing the bases for updating the Plan to require universal masking, she shared the following: only 20% of District children aged 12 and older are vaccinated. That is, all District children under 12, and 80% of children 12 and over, in the District are unvaccinated.

Although the community had been informed via Dr. Friez's August 13 email that the Health and Safety Plan Update regarding masks had gone into effect on August 16, Member Elizabeth Blackwell made a motion during the August 18 meeting for the Board to vote on whether to eliminate the universal masking requirement that had gone into effect upon the authority of Superintendent Dr. Friez two days prior. Member Marcie Crow seconded the Motion.

Member Allyson Minton voiced her surprise at the addition of this voting item to the agenda, noting that the custom and practice of the Board is to set the agenda, then circulate information needed for voting items to all Board members prior to the meeting so that the Members can make informed decision on the voting item. Member Blackburn admitted that she had mentioned to Ms. Crow and Mr. Chomos prior to the meeting that she was considering making a motion to vote on the Update to the Health and Safety Plan.

Because the Back to School Plan Update was not listed as a voting item on the Board's Agenda, neither the full Board, nor community members, had notice that the Board would vote on overturning the District's two-day-old mask policy. Community attendees informed friends who were not in attendance that if they wanted to speak on this issue, they had to get to the Board Meeting as quickly as possible. Though some individuals did rush to the meeting, upon information and belief, various constituents who would have spoken had they had been provided notice of the vote were not afforded their right to be heard. Upon information and belief, the vast majority of speakers spoke in favor of Dr. Friez's recent update to the mask policy in light of the surge in Delta variant Covid-19 cases and the desire to take reasonable steps to ensure student and staff safety, and to provide the best chance for consistent in-person learning.

The District's well-reasoned decision to require universal masking in its K-12 buildings was supported by recommendations by every local, state, and national health agency, analysis of the District's past quarantining numbers, consideration of the rise in COVID-19 cases in the county and District Municipalities and following consultation with the District's Physician.

Despite all of the information supporting the conclusion that universal masking will reduce the necessity of quarantining and lost in-person education time, providing NASD with the best possible chance of maximizing in-person education while protecting its staff and students, at the

conclusion of public comment, Members Blackburn, Crow, McClure, Chomos, Yeakel, and Russell voted to eliminate the universal masking requirement, and thus, with a 6-3 vote against masks, masks were made optional for all students, staff, and visitors. The District did not consider whether, or how significantly, parties had relied on its previous policies, decisions, and commitments.

G. The Board Members Offered No Basis for Eliminating the Universal Masking Requirement that Went Into Effect on August 16, 2021.

The six Board members who voted to eliminate the universal masking requirement did not state that they spoke with any health professionals inside or outside of the District prior to concluding that universal masking should be eliminated. They provided no information from any local, Commonwealth, or national health agency to support the elimination of universal masking. They did not state that the District Physician supported their vote, and in fact, the District Physician recommends universal masking. They did not provide any evidence that masking would undermine or prevent the District from achieving its goal of maximizing in-person instruction while protecting staff and students, or that optional masking was a more effective way to achieve this goal. They did not present any evidence that masking would harm any student or staff member.

At 2:15 am, correspondence from the District was sent to North Allegheny Parents and Guardians via email, stating as follows:

The Board of Directors, voted 6-3 to make masks optional, but strongly recommended, for students, staff, and visitors through September 22, 2021. This vote will be reviewed again at the September 22, 2021 Board of Directors meeting.

See August 19, 2021 email, attached hereto as **Exhibit J**.

H. The District's Rescission of the Masking Requirement Causes Immense and Irreparable Harm to Students, Staff, and Community, Who Are at Increased Risk of Developing COVID-19 and to Students Who Are At Risk of Losing Critical In-Person Instruction Time

NASD's first day of school is August 23, 2022. By September 22, 2021, the date of the next announced Board meeting to reconsider masking, students and staff will have spent twenty-two days unmasked in close proximity to one another. The Delta variant of COVID-19 can be transmitted easily even by vaccinated individuals. *See* Affidavit of Anna Marie White, MD, attached hereto as an **Exhibit K**, at ¶5. Many other physicians concur in this opinion. *See* Eleven Further Affidavits of Physicians, attached hereto as **Exhibits L-V**. Thus, 100% of NASD students, staff, and visitors are capable of transmitting Covid-19 to one another or to somebody else in the community. "COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. **Exhibit K**. Put simply: "Masks work." *Id.*

Dr. White informs us that "[m]edical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID." *Id.* ¶7. Under the current policy of optional masking effectuated by the Board's August 18 vote, "the Delta variant of COVID will spread throughout the school district and into the community at large." *Id.*, at ¶8. Dr. White opines that all vaccinated and unvaccinated children in the school district "need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID." *Id.* at ¶12. There are no health risks to wearing masks, and there is no evidence that masks affect a child's ability to focus or learn in school. *See, e.g., Exhibit K*, ¶12. In Dr. White's medical opinion, "immediate and irreparable injury, loss, or damages will result" if universal masking is not required for all NASD students and employees. *Id.* at ¶13. Without universal masking, children, teachers, and/or staff could suffer serious illness

or death. *Id.*

LEGAL ARGUMENT

I. Due Process Violations Committed by the School Board

A. First Violation

In *Goss v. Lopez* 8212 898, 419 U.S. 565, 95 S.Ct. 729, 42 L.Ed.2d 725 (1975), the Supreme Court held that the Fourteenth Amendment of the Constitution “forbids the State to deprive any person of life, liberty, or property without due process of law.” *Id.* at 572. The Court explained that protected interests in citizen’s property “are created and their dimensions are defined’ by an independent source such as state statutes or rules entitling the citizen to certain benefits. *Id.* at 572-573. (Citation omitted).

Here, on the basis of Pennsylvania State law, the Plaintiffs have legitimate claims of entitlement to a public education based on state law, and these rights are protected from the state by the Fourteenth Amendment. *Shertzer v. Penn Manor Sch. Dist.*, 422 F.3d 141 (3d Cir. 2005) (Under Pennsylvania law, a student has a “legitimate claim of entitlement to a public education.”) *Id.* at 149 n.3 (citing 22 Pa. Code § 12.8(a)). Public education in Pennsylvania is a fundamental right required by Article III, Section 14 of the Pennsylvania Constitution. *See Sch. Dist. of Wilkinsburg v. Wilkinsburg Educ. Ass’n*, 667 A.2d 5, 9 (Pa. 1995). Further, attendance at school is compulsory. *Shuman v. Penn Manor School Dist.*, 422 F.3d 141, 149 (3rd Cir. 2005) (“Compulsory attendance laws automatically inhibit the liberty interest afforded public school students, as the law compels students to attend school in the first place.”) (citations omitted).

In *Phillips v. County of Allegheny*, 515 F.3d 224 (3rd Cir. 2008), the Third Circuit Court determined when a plaintiff is bringing a claim under Section 1983, “a plaintiff must plead a

deprivation of a constitutional right and that the constitutional deprivation was caused by a person acting under the color of state law.” *Id.* at 235 (citation omitted).

Here Plaintiffs allege a deprivation of their children’s Fourteenth Amendment rights to education in a safe and healthy environment, as provided by the Pennsylvania Constitution, by the School Board’s failure to provide due process, the failure to provide a safe and healthy environment and further the School Board has endangered the lives of the children of the school district and taken affirmative action which increases the risk of illness, harassment, intimidation, bullying, divisiveness, injury and possible death because of overturning the status quo established by the order of the Superintendent of the North Allegheny School that the children are required to wear masks because of the heightened risk of infection from the Delta Variant of Covid-19 in Allegheny County in general and North Allegheny in particular. See August 13, 2021 email to the entire School District from the Superintendent.

It is recognized that the Due Process Clause does not impose an affirmative obligation on the state to protect its citizens. *See DeShaney v. Winnebago County Dept. of Soc. Servs.*, 489 U.S. 189, 195-96, 109 S.Ct. 998, 103 L.Ed.2d 249 (1989). However, “the state-created danger theory operates as an exception to that general rule.” *Phillips supra* at 235.

In *Phillips*, the Court set forth a four-part test, which plaintiffs must meet:

- (1) the harm ultimately caused to the plaintiff was foreseeable and fairly direct;
- (2) the state-actor acted in willful disregard for the plaintiff’s safety;
- (3) there was some relationship between the state and the plaintiff; and
- (4) the state-actor used his authority to create an opportunity for danger that otherwise would not have existed.

Id. citing *Bright v. Westmoreland County*, 443 F.3d 276, 281 (3d Cir.2006) (quotations and footnotes omitted).

(1) the harm is foreseeable and direct.

Public health experts and physicians advise that lack of universal masking causes an increase in the spread of Covid. Without masking, harm to students and teachers is entirely foreseeable and the direct result of the failure to implement universal masking.

There is a national Pandemic caused by Covid-19. In August of 2021, Allegheny County went from “moderate” level of infection to a “high” level of infection.”

Allegheny County started in substantial level of community transmission on August 2, 2021 and as of August 14, 2021, is now in a high level of community transmission. The last time we were in substantial transmission was April 23, 2021. High transmission is considered 100 or more cases per 100,000, or a positivity rate between 10% or higher.

Due to the circulating and highly contagious Delta variant, CDC recommends universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status.

64% of cases in our region are the Delta variant.

The Allegheny County Health Department encourages Districts to follow this recommendation.

(Allegheny County Health Department Website)

See **Exhibit H** (emphasis added).

The Superintendent, who is charged with the well-being and safety of the student body, sought consultation with medical professionals, concerning what steps should be taken in order to keep the students safe when they return to full-time in-person classroom study in the School District. In order, to make a reasoned and educated decision, the Superintendent obtained the input of the School District Physician, and the Allegheny County Health Department and reviewed the information and recommendations of the CDC. As a result of a reasoned analysis of this information and advice, in order to protect the students, faculty and administration, the decision was made to implement universal masking for the entire School District.

This decision to consider universal masking is a result of several factors:
Analyzing COVID-19 data from last school year and county and community

statistics over the past month.

Consultation with the Allegheny County Health Department and District Physician.

Changes in the quarantine procedures that would negatively impact our ability to ensure consistent in-person instruction for all students.

Id.

Multiple Pediatricians have provided affidavits in support of the request for a Temporary Restraining Order emphasizing the dire and immediate serious medical consequences of infection and possibly death that would be caused if the children are not masked. Exhibits L-V. Indeed, without universal masking in schools, there are likely to be far-reaching consequences including there will not be enough intensive care unit beds and staff available to handle even a moderate influx of children requiring serious medical care caused by infection from Covid-19, the Delta Variant. Indeed, all of the children under the age of 12 are not yet permitted to be vaccinated. Also, school statistics show that approximately only 25% of the student body is presently vaccinated.

Currently, the sports teams and the marching band have preseason camps where the majority of time is spent outdoors. Even so, the School District reports there are presently 16 positive cases of infection (3 staff and 13 students) as of August 20th at 4:30 p.m. and school has not yet even officially opened. See northallegheny.org/page/33033, from the North Allegheny School District Website containing the 2021-2022, Covid-19 Tracker at NASD.

Accordingly, element one - “the harm ultimately caused to the plaintiff was foreseeable and fairly direct” - has been met.

(2) **the state-actor acted in willful disregard for the plaintiffs’ safety.**

On August 18, 2021, the School Board held a working meeting at which the Board met

to review the applications of two new employees and possibly hire the same. After completing this action, the Board had the Superintendent present an Update of the Back to School Planning and Health and Safety Plan.

After the Superintendent completed the presentation on the Update of the Back to School Planning and Health and Safety Plan, Board Member Elizabeth Blackburn made a motion to overrule the Superintendent's decision implementing universal masking which had an effective date of August 16th, which was two days prior to the August 18th School Board Meeting. There was some confusion as to whether Ms. Blackburn informed the President and Vice President of the School Board about making a motion prior to the meeting. The motion was not on the Agenda.

Board Member Allyson Minton, expressed confusion that this item was coming to vote since she received no prior notice of any action to be taken by the Board on the Superintendent's Update of the Back to School Planning and Health and Safety Plan. Typically, the School Board members are provided notice before the meeting with a packet of information on voting items.

Also, there was no advance notice to either the Board or the Public in the Agenda for the meeting that there would be any voting items regarding the Superintendent's Update of the Back to School Planning and Health and Safety Plan which had already been implemented and communicated to the entire School District.

After the motion was made, public comment was invited. Since there was no notice to the public that there would be a motion made to overturn the Superintendent's implementation of universal masking, the public had little to no opportunity to provide input and information regarding this critical issue related to protection of the health and well-being of the children of the school district from infection related to Covid-19 and the highly contagious Delta Variant.

After the limited public comment, due to the lack of advance notice of a vote, there was a

brief discussion between the Board Members and then a vote was held. The votes were 6 in favor of removing the universal masking requirement (Members Chomos, Crow, Yeakel, Russell, McClure, and Blackburn), and three against (Members Minton, Mahler, and Warner).

The School Board has a Policy Manual. In Section 800 - Operations Emergency Preparedness Adopted August 24, 2016. 805 - EMERGENCY PREPAREDNESS sets forth the requirements of the Board to protect the “safeguard the health and welfare of District students”. It reads as follows:

Purpose

The Board recognizes its responsibility to safeguard the health and welfare of District students and employees. Therefore, **the Board shall provide the facilities, equipment, and training necessary to minimize the effects of all hazards and emergencies, including but not limited to natural disasters, hazardous chemicals, fires, weapons, bomb threats, terrorism, communicable diseases, and pandemics.** Advance planning and comprehensive implementation are key components in ensuring the protection of the school community.

See <https://go.boarddocs.com/pa/nasd/Board.nsf/Public#> (emphasis added).

Authority is delegated to the Superintendent to develop and implement a plan of action.

Delegation of Responsibility

The Superintendent or designee shall collaborate with relevant stakeholders, including parent(s)/guardian(s), staff, community agencies, and first responders during the development and implementation of the emergency preparedness plan.

Id. (emphasis added).

In Policy Manual Section 800 - Operations, Health and Safety Committee Code832

Adopted July 19, 2017, 832 - HEALTH AND SAFETY COMMITTEE, sets forth that:

Purpose

It is the goal of the North Allegheny School District **to provide a workplace free from unreasonable risk of injury and disease.**

Id. (emphasis added).

In Policy Manual Section 000 - Board Procedures, Board Governance Standards/Code of Conduct Code 011 Adopted December 16, 2015, 011 - STANDARDS FOR EFFECTIVE SCHOOL GOVERNANCE/CODE OF CONDUCT (As adopted from the Pennsylvania School Boards Association), it is set forth:

- II. Code of Conduct for School Board Members
(as adopted from PSBA Code of Conduct)
- A. We, as members of the North Allegheny School Board, representing all the residents of our School District, believe that:
- B. IX. **We should respect that the Superintendent of Schools and his or her staff are responsible and accountable for the delivery of the educational programs and the conduct of school operations.**

In voting to remove the universal mask directive of the Superintendent, the School Board violated Policy Manual Section 011 - STANDARDS FOR EFFECTIVE SCHOOL GOVERNANCE/CODE OF CONDUCT II.B.IX by failing to respect that **“the Superintendent is responsible and accountable for the ... conduct of school operations.”**

In voting to remove the universal mask directive of the Superintendent, the School Board violated Policy Manual Section 805 - EMERGENCY PREPAREDNESS by failing to provide **“the facilities, equipment, and training necessary to minimize the effects of communicable diseases, and pandemics.”**

In voting to remove the universal mask directive of the Superintendent, the School Board violated Policy Manual Section 832 - HEALTH AND SAFETY COMMITTEE, by failing **“to provide a workplace free from unreasonable risk of injury and disease.”**

Accordingly, in voting to undue the universal mask policy implemented by the Superintendent, the School Board violated the requirements of its own Policy Manual and **“acted in willful disregard for the plaintiffs’ safety.”**

(3) there was some relationship between the state and the plaintiffs

As set forth above in detail, since Pennsylvania requires providing a public education and children are required to attend school, this satisfies the requirement that there was a “relationship between the state and the plaintiffs.”

(4) the state-actor used its authority to create an opportunity for danger that otherwise would not have existed.

“Liability ... is predicated upon the states' affirmative acts which work to the plaintiff's detriment in terms of exposure to danger. It is the misuse of state authority, rather than a failure to use it, that can violate the Due Process Clause.” *See Phillips v. County of Allegheny*, 515 F.3d 224 (3rd Cir. 2008) (citations omitted).

Here the School Board took affirmative action by voting to undue the status quo of the universal mask requirement which was implemented on August 16, 2021. In doing so, the School Board “used its authority to create an opportunity for danger that otherwise would not have existed.” That is, the School Board has materially increased the risk for the spread of Covid-19 among the student body and employees of the School District. *See* Superintendents Presentation, **Exhibit H**, and the Affidavits of Pediatricians, **Exhibits L-V**, setting forth the imminent and materially increased risk of harm caused by not wearing masks in an unvaccinated student population for age under 12 and 75% unvaccinated remainder of the above age 12 student population. *See supra*.

The determination of what process is “due” is “not to be found in statutes ... [but] is a question of federal constitutional law.” *McDaniels v. Flick*, 59 F.3d 446, 458 (3d Cir. 1995) (quoting *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 541 (1985)). “The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful

manner." *Matthews v. Eldridge*, 424 U.S. 319, 333 (1976) (citation omitted).

By choosing not to inform the public and the School Board Members prior to the meeting, that a vote was going to be taken to undue the universal masking requirement for the School District, the public was unable to address this significant and material issue impacting their children's safety in a meaningful way. There was no opportunity for citizens to prepare and present evidence like that submitted here-the testimony of experts in relevant fields.

Accordingly, all four elements of state-created danger are met, and Plaintiffs will be able to successfully prove there was a violation of Section 1983.

B. Procedural Due Process Violation

The School Board's Policy Manual sets forth the procedure for notifying the public about a change in policy or procedure withing the school district. See Policy Manual Section 000 - Board Procedures Functions Code 003 Adopted September 30, 2015, 003 - FUNCTIONS, which sets forth:

Legislative

The Board shall exercise its rule-making power by adopting Board procedures and policies for the organization and operation of the School District. Those procedures and policies which are not dictated by the statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended, or repealed at a designated meeting of the Board.

See <https://go.boarddocs.com/pa/nasd/Board.nsf/Public#>

The Superintendent, Dr. Friez had the authority to make decisions concerning whether to require universal face coverings in District buildings. Pursuant to that authority, she implemented a universal face covering policy required of all staff, students, and visitors when inside NASD buildings. On August 13, 2021 a District-wide email was sent by Superintendent, Dr. Friez, setting forth this School District policy that effective August 16, 2021, NASD "require[d] face coverings

indoors students, staff[,] and visitors for grades K-12”. see also NASD 2021-2022 Health and Safety Plan Update August 18, 2021 slide deck, p. 3 (**Exhibit H**).

When the School Board wants to change, alter, or amend a policy there is a required procedure which the Board must follow. First, the “C. New or amended procedures or policy will be developed by the Board as warranted by new legislation, revised philosophy, or relevant educational research.” See <https://go.boarddocs.com/pa/nasd/Board.nsf/Public#>.

Second, the School Board must provide advanced notice to the public of the intent to change, alter, or amend an existing School District Policy, by (1) announcing the same “publicly at the appropriate Committee meeting; (2) making copies “of the proposed new or amended procedures or policy ... available to the public during regular business hours from the date of the appropriate Committee meeting until the new or amended procedures or policy is adopted by the Board”; (3) publicly having a “first reading of the new or amended procedures or policy will occur at the next regular Board meeting following the appropriate Committee meeting”; and (4) “at the next regular Board meeting [the Board] will vote on the second reading and adoption of the new or amended policy. See 003 - FUNCTIONS, subpart D.

The failure of the Board to provide this public notice and to perform a first and second reading of the proposed amended procedure to reverse the district-wide universal masking policy was a violation of procedural due process of notice and a hearing of the Fourteenth Amendment.

C. Substantive Due Process

Substantive due process ““applies when a plaintiff challenges the validity of a legislative act.” *Nicholas v. Pennsylvania State University*, 227 F.3d 133, 139 (2000) (3rd Cir. 2000) (Alito, J.). Legislative acts are defined as “laws and broad executive regulations, [which] apply to large segments of society.” *Nicholas*, at n. 1. See also, *McKinney v. Pate*, 20 F.3d 1550, 1557 n. 9 (11th

Cir.1994) (“Legislative acts, on the other hand, generally apply to a larger segment of-if not all of- society; laws and broad-ranging executive regulations are the most common examples.”).

Here, the School Board’s power to amend, alter, or change comes from its “Legislative” powers. See Policy Manual Section 000 - Board Procedures Functions Code 003 Adopted September 30, 2015, 003 - FUNCTIONS, Legislative <https://go.boarddocs.com/pa/nasd/Board.nsf/Public#>.

As Judge Alito explained in *Nicholas v. Pennsylvania State Univ.*, “typically, a legislative act will withstand substantive due process challenge if the government ‘identifies the legitimate state interest that the legislature could rationally conclude was served by the statute.’” *supra* at 139 (citation omitted).

Here, because the action was legislative, and not an executive act, Plaintiffs do not need to meet the “shocks the conscience test.” See *County Concrete Corp. v. Town of Roxbury*, 442 F.3d 159, 169 (2006) (“But United Artists did not apply the ‘shocks the conscience’ standard to legislative action; rather, we clearly held in *United Artists* that ‘executive action violates substantive due process only when it shocks the conscience.’”) citing (*United Artists Theatre Circuit, Inc. v. Twp. of Warrington, PA.*, 316 F.3d 392, 400 (3d Cir.2003)). As such, Plaintiffs do not need to establish a “protected property interest to which the Fourteenth Amendment’s due process protection applies” as this standard only applies in a ‘non-legislative substantive due process claim.’ ” *Nicholas*, at 139–40 citing (*Woodwind Estates v. Gretkowski*, 205 F.3d 118, 123 (3d Cir.2000)). Here, for Plaintiff’s “facial substantive due process challenge to the School Board’s vote to change the School District’s universal masking policy, to be successful, Plaintiffs] must ‘allege facts that would support a finding of arbitrary or irrational legislative action by the’ ” School Board. *County Concrete Corp.* at 169, citing *Pace Resources, Inc. v. Shrewsbury Twp.*, 808

F.2d 1023, 1034 (3d Cir.1987).

At the August 18, 2021 Board Meeting, in accordance with the Agenda, Dr. Friez detailed the basis for the update to the District's Health and Safety Plan, which included: analysis of COVID-19 data from last school year and county and community statistics over the past month; 2) consultation with the ACHD and District Physician, and 3) changes in the quarantine procedures that would negatively impact our ability to ensure consistent in-person instruction for all students. See August 18 Slide Deck, **Exhibit H**, p. 3

Despite there being no scheduled vote on this issue identified on the Agenda, (see **Exhibit I**, Agenda, Section, Voting Items), Board Member Elizabeth Blackwell made a motion, which was seconded by Board Vice President Marcie Crow, to vote on reversing the face-covering requirement. Six members of the nine-member North Allegheny School Board voted to change the School District universal masking policy by making masks optional for all students, staff, and visitors, effective immediately and through at least September 22, 2021. See District-wide Email dated August 19, 2021, **Exhibit J**. This improper vote, which took place without notice to the community, is blatantly against the best interests of the District, as detailed in August 18 Slide Deck, **Exhibit H**.

Although the Superintendent had the authority to make decisions with respect to face coverings (CITE), and none of the six Board members presented any factual or medical evidence that contradicted the stated bases for the universal masking requirement, they voted to eliminate the mask requirement. Then, they went a step further. To prevent the Superintendent from reimplementing a mask requirement, these same Board Members also voted to strip Superintendent Friez of the ability to make future decisions concerning the implementation of masks, thereby guaranteeing these six Board Member's the ability to make unsupported decisions that affect the

health and safety of the District.

By eliminating universal masking in NASD K-12 buildings, the Board puts District students, staff, visitor, and community members at increased risk for illness and possibly death from Covid-19. Further, the Board's decision undermines the District's Back to School Planning Committee's goal of maximizing in person learning while providing a safe environment for students and staff.

Here, the actions of the School Board by failing to comply with any of its required notice procedures for changing a School District publicly announced policy, without any medical support and against the recommendations of the School Medical Director, the Allegheny County Health Department, and the CDC, leads to the inescapable conclusion that the legislative action of the School Board was "arbitrary or irrational."

Accordingly, the School Board violated both the Procedural and Substantive 14th Amendment Due Process rights of Plaintiffs.

II. The Board's Decision to Rescind the Mask Mandate Is Arbitrary and Capricious and Must Be Vacated

As Defendants' own Policy Manual recognizes, Defendants are creations of statute and, therefore, possess only the limited authority vested in them by statute. *See* Board of School Directors of North Allegheny School District Policy Manual, sec. 002(I) (**Exhibit A**); *see generally* PA Const., Art. III, Sec. 14; Pa. School Code §§ 211, 301, 501, 502, 503, 507, 510. The board of school directors in any school district may not make any decision it wishes; rather it may adopt only *reasonable* rules and regulations that it deems necessary. 24 P.S. Education § 5-510 (emphasis added). Governing boards may not make rules that are arbitrary, capricious, discriminatory or outside their grant of authority from the General Assembly. 22 Pa. Code § 12.3.

Boards must use a rational means of accomplishing a legitimate school purpose. *Id.*

Because agencies are required to make rational, not arbitrary, decisions, courts may interfere with the discretionary exercise of a school board's power when the board's action was based upon (1) a misconception of law which caused the school board to act outside its statutory authority, (2) ignorance through lack of inquiry into the facts necessary to form an intelligent judgment, or (3) arbitrary will or caprice. *See, e.g., Parents United for Better Sch., Inc. v. Sch. Dist. of Philadelphia Bd. of Educ.*, 978 F. Supp. 197, 205–06 (E.D. Pa. 1997), *aff'd*, 148 F.3d 260 (3d Cir. 1998) (citing *Roberts v. Board of Directors of the School Dist.*, 462 Pa. 464, 341 A.2d 475, 480 n. 4 (1975)); *Zebra v. School Dist.*, 449 Pa. 432, 296 A.2d 748, 750 (1972); *Spann v. Joint Boards of School Directors*, 381 Pa. 338, 113 A.2d 281, 286 (1955)); *see also Duffield v. School Dist.*, 162 Pa. 476, 29 A. 742, 743 (1894) (upholding vaccine mandate where mandate was not an error in judgment, or a mistake upon some abstruse question of medical science)).

Defendants' rescission of the mask mandate was based on ignorance that resulted from a total lack of inquiry into the facts and was arbitrary and capricious because it lacks any reasoning or consideration of reasonable reliance on prior policy.

1. The Rescission Was Based on Ignorance Due to Lack of Inquiry Into Facts

The Board's rescission of the mask mandate should be vacated because it was based on ignorance and a complete lack of inquiry into facts. In *Parents United for Better Schools*, the Board held *nine* public hearings and conducted a thorough examination of the reasons for and against its potential policy. There, the Court concluded that the board had conducted adequate inquiry into the facts and did not base its decision on ignorance. *Parents United*, 978 F. Supp. at 206.

Unlike the board in *Parents United*, Defendants did not hold multiple hearings³ or conduct a thorough examination of the reasons for, or against, a mask mandate. Rather, the Board held a rushed hearing that provided only 24 hours' notice to the public and provided *no* notice that a vote on a mask mandate would occur. The Board did not take formal testimony, nor did it consider any written reports in favor of, or against, a mask mandate. The sole information before the board was the public statements of the concerned citizens who were able to find out that the Board was voting on a mask mandate. Indeed, there is no indication that Defendants considered *any* scientific evidence or conducted *any* examination of the reasons for and against a mask mandate. Their decision appears to have been based entirely on anecdotal stories of citizens who somehow knew the Board would vote on the mandate.

A decision involving the lives of students, when that decision depends on epidemiology, public health, and science, demands thorough consideration of facts. Yet the Board appears to have rescinded the mandate based on its own whim without any inquiry into facts. Without any inquiry at all, it perhaps unsurprising that the rescission goes against the recommendations of every state, local, and national health agency, and the District's own physician.

2. The Rescission Is Arbitrary and Capricious Because It Lacks Reasoning and Fails to Consider Parties' Legitimate Reliance on Prior Policies

Courts also intervene in Board decisions when the decisions are based on arbitrary will or caprice. *See, e.g., Parents United for Better Sch., Inc.*, 978 F.Supp. at 205-06. Recent Federal Supreme Court jurisprudence establishes that agency actions are arbitrary and capricious when they lack reasoning. *See, e.g., Dep't of Homeland Security v. Regents of the University of*

³ Plaintiffs are not contending that nine hearings are necessary, as Plaintiffs understand the emergency nature of the pandemic. Plaintiffs *are* contending that the Board is required to conduct a thorough, reasoned inquiry into facts and to base its decision on information and knowledge, not caprice.

California, 140 S.Ct. 1891, 1912-13, 1915, 591 U.S. __ (2020) (concluding that failure to offer any explanation was arbitrary); *see also Motor Vehicle Manufacturers Association of the United States, Inc. v. State Farm Mutual Automobile Insurance Co.*, 463 U.S. 29, 51(1983) (Given National Highway Transportation Safety Administration’s prior judgment that “airbags are an effective and cost-beneficial lifesaving technology,” the Supreme Court held that “the mandatory passive restraint rule [could] not be abandoned without any consideration whatsoever of an airbags-only requirement.”); *see also Commonwealth v. Hall*, 455 A.2d 674, 676 (Pa. Super. 1983) (State Court has jurisdiction to interfere with a school board’s decision when it is apparent that the school board’s conduct is arbitrary, capricious and to the prejudice of public interest.)

Here, it is not clear what Defendants’ reasoning was—or whether they had any reasoning at all—because they offered no explanation for their sudden about-face. The quick about-face is even more perplexing, and more likely arbitrary, given that infection rates were climbing (and continue to climb). If Defendants have sound reasoning, the public is unable to discern what it is, and this court is unable to review it for arbitrariness. A decision that lacks any basis whatsoever is necessarily action based on arbitrary will or caprice, and it is precisely what Defendants may not do.

When an agency rescinds an existing policy, as here, it must also consider whether there was legitimate reliance on prior decisions. *See, e.g., State Farm*, 463 U.S. at 51. When an agency changes course, it must be aware that prior policies may have caused serious reliance interests. *See Regents*, 140 S.Ct. at 1913. “It would be arbitrary and capricious to ignore such [serious reliance interests.” *Ibid.* In *Regents*, the agency “*was* required to assess whether there were reliance interests, determine whether they were significant, and weigh any such interests against competing policy concerns.” *Regents*, 140 S.Ct. at 1915.

As in *Regents* and *State Farm*, Defendants were not starting afresh. There was a mask mandate last year, which was lifted, and then reinstated. Therefore, the Defendants, like the Department of Homeland Security in *Regents*, were required to assess whether there were reliance interests on its prior policies and actions, determine whether they were significant, and weigh any such interests against competing policy concerns. *See Regents*, 140 S.Ct. at 1915 (holding that failure to consider reliance on prior policy was arbitrary and capricious).

Here, families were forced to make long-term decisions about where to enroll their children in school--NACA, in-person in North Allegheny, private school, or elsewhere-- in reliance on prior policies. Yet there is no evidence that the Board assessed whether there were reliance interests on its prior policies at all, much less considered whether those reliance interests were significant, or how those reliance interests weighed against competing policy concerns. This failure renders its rescission arbitrary and capricious, and the Court should vacate the rescission of the mask mandate.

REQUESTED REMEDY

Plaintiffs asks the Court to enter the Proposed Order attached to the accompanying Motion, void the action taken by the North Allegheny School Board at the August 18, 2021 meeting, and to reinstate the status quo by compelling the re-implementation of the universal masking requirement for students, staff, and visitors for grades K-12, while indoors, effective immediately.

Such action is in line with the Court's authority to restore the status quo that existed prior to the Board's vote. *See One Three Five, Inc. v. City of Pittsburgh*, 951 F. Supp. 2d 788, 807 (W.D. Pa. 2013) quoting *Acierno v. New Castle County*, 40 F.3d 645, 647 (3d Cir.1994). ("The primary purpose of preliminary injunctive relief 'is maintenance of the status quo until a decision on the merits of a case is rendered.'") "'Status quo' refers to 'the last, peaceable, noncontested status of

the parties.” *Id.* quoting *Kos Pharm., Inc. v. Andrx Corp.*, 369 F.3d 700, 708 (3d Cir.2004); *see also Evancho v. Pine-Richland Sch. Dist.*, 237 F. Supp. 3d 267, 283 (W.D. Pa. 2017) (in case concerning a Board Resolution to require all students to use the bathroom facility that matched their assigned sex at birth, the court stated, while there was some debate on what the status quo was prior to passage of the Board Resolution, the status quo was the “factual state of affairs that existed prior to the resolution”)

This Court should enjoin the District from enforcing the Board’s vote to make masks option and to strip Dr. Friez of her authority so make such decisions, and to restore the status quo, i.e., NASD should “require face coverings indoors students, staff[,] and visitors for grades K-12 starting Monday August 16,” 2021-2022 Health and Safety Plan Update August 18, 2021 slide deck, p. 3. and restore Dr. Friez authority to make changes to the Health and Safety Plan without Board approval.

Accordingly, it is respectfully requested that his honorable court return the status quo and order that the universal masking directive of the Superintendent be re-instated.

In the alternative, the Court may void Defendants' August 18, 2021 action and remand so that the Defendants may offer a fuller explanation of their reasoning *at the time of the decision* or take new action based on full inquiry into the facts and full consideration of reliance interests. *See, e.g., Pension Benefit Guaranty Corporation v. LTV Corp.*, 496 U.S. 633, 654 (1990). In the interim, the court should vacate the arbitrary rescission of the mask mandate to avoid the irreparable harm described above.

Respectfully submitted,

GOLDBERG, KAMIN, GARVIN, LLP

Date: August 22, 2021

/s/ Alexander W. Saksen

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Brief was served by e-mail on this 22nd day of August 2021, addressed to the below parties and counsel:

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Book	Policy Manual
Section	Section 000 - Board Procedures
Title	Authority and Powers
Code	002
Status	Active
Adopted	September 30, 2015

002 - AUTHORITY AND POWERS

I. Authority

A public school district is a constitutional agency of legislature in the Commonwealth of Pennsylvania and retains powers that are granted by statute and the School Laws of Pennsylvania. The powers and mandatory duties of the School Board are also defined in the School Laws of Pennsylvania, 1949 as amended.

PA Const., Art. III, Sec. 14
SC 211, 301, 501, 502, 503, 507, 510

II. Powers

A. The School Board shall be vested with the necessary authority and power to annually levy and collect necessary taxes, in addition to the annual State appropriation, to establish and maintain a system of free public schools for all children of age residing in the school district.

SC 201, 407, 501, 502, 503, 507, 510, 511, 801, 803, 1301, 1302, 1411

B. The powers of the Board shall be as conferred and prescribed by law. Complete and final control as to all matters pertaining to the educational system shall be vested in the Board.

C. In the interpretation of the powers and duties of the Board, it is understood that the Board shall determine the general policies for the control, operation, maintenance, and expansion of the public school, execution of which shall be the responsibility of the administrative staff.

D. The Board considers that its most important functions fall into the following categories:

i. Legislative or Policy Making

The Board is responsible for the development of policy and for the employment of a Superintendent who will carry out its policy through the development and implementation of regulations. Board procedures and policies shall be consistent of law, have a rationale and substantial relationship to a legitimate purpose of the Board, and be directed toward the maintenance and support of a thorough and efficient system of public education in this District.

SC 407

ii. Educational Planning and Appraisal

The Board is responsible for acquiring reliable information from responsible sources which will enable it to make the best possible decisions about the scope and nature of the educational program. The

8/22/2021

Board is responsible for requiring appraisal of the results of the educational program. The Board shall be responsible for enforcing mandatory laws and regulations.

iii. Staffing and Appraisal

The Board is responsible for employing the staff necessary for carrying out the instructional program and establishing negotiated salaries and salary schedules, and other terms and conditions of employment, as well as for personnel policies District-wide in application.

iv. Financial Resources

The Board is responsible for adopting a budget that will provide the financial basis for staff, buildings, materials, and equipment which will enable the District to carry out the educational program. The Board is responsible for exercising control over the finances of the District to ensure proper use of, and accounting for, all District funds.

v. School Facilities

The Board is responsible for determining school-housing needs, for communicating these needs to the community, for purchasing sites, and approving plans that will support and enhance the educational program.

vi. Communication with the Public

The Board is responsible for providing adequate and direct means for keeping local citizenry informed about the wishes of the public.

vii. Judicial

The Board is responsible for acting as a court of appeal for staff members, students, and the public when issues involve Board Policy and its fair implementation.

SC 301

E. The Board may exercise the before-mentioned powers and duties only when convened in a legally constituted meeting.

F. The powers of the Board are not vested in the individual Board member. No such individual is authorized to act on behalf of the Board to carry out any of the Board's authorized powers, except for those acts stated in law.

G. Board members participation in meetings is the basic manner in which they fulfill high office, except as otherwise authorized by the Board. The method of participation is discussion, deliberation, debate, and voting. Administrative action to accommodate individual Board members is not appropriate.

H. All members, including the President, shall participate fully in deliberation and voting.

References:

Pennsylvania Constitution, Art. III, Sec. 14

School Code 24 P.S., Sec. 211, 301, 407, 501, 502, 503, 507, 510, 511, 801, 803, 1301, 1302, 1411

State Board of Education Regulations, 22 PA Code, Sec. 17.1 et seq.

Replaces Policies:

1100.1

1100.3

1112.1

1112.2

8/22/2021

8/22/2021

North Allegheny School District
<noreply@northallegheny.org>

Thu, Jun 17, 2021 at 11:30 AM



2021-2022 Back to School Planning Update

Dear North Allegheny School District Parents/Guardians,

After navigating a challenging school year, we are looking forward to new beginnings in August. North Allegheny School District will be returning to five days a week of in-person learning for the 2021-2022 school year and offering NA Cyber Academy for K-12 students that would like to learn remotely.

Included in this email, you will find:

- The District's Back to School plan, which includes the combined Health & Safety and Education plans
- Back to School Planning Committee update
- Results from the District-wide survey in May

By sharing this information we hope to ensure families are prepared to select an Instructional Model for their student(s) during the week of July 19-25, 2021.

North Allegheny School District Health & Safety and Education Plans

In early 2021, the District formed a Back to School Planning Committee that included NASD staff, third-party members of the medical community, and parents/guardians. Using a collaborative approach, the committee developed the Health & Safety and Education Plans for the 2021-2022 school year. These plans were created with the information that we know now. The District will

continue to follow local, Commonwealth, and national guidance, which may require our plans to change.

- North Allegheny School District 2021-2022 Back to School Plan
 - *This includes a combination of the Health & Safety and Education Plans*

Additional Health & Safety and Education Plan Documents

For more in-depth information about the District's plans, below are several resources:

- Health & Safety Plan 2021-2022 Committee Meeting Presentation (May 12, 2021)
- ARP ESSER Health and Safety Plan Guidance & Template: The NASD Health and Safety Plan was adapted from this template required by the Commonwealth and Pennsylvania Department of Education (June 16, 2021)
- Education Plan 2021-2022 Presentation to the Board of Directors (June 16, 2021)

The North Allegheny Board of School Directors will vote to approve the Back to School Plan at the June 23, 2021 meeting.

Back to School Plan Overview



North Allegheny Back To School Information 2021-2022

Updated June 16, 2021

The District will continue to follow local, Commonwealth, and national guidance, which may require our plans to change.



In-Person Instruction

NASD will be in-person five days a week beginning on Monday, August 23. In the event we need to respond to local, Commonwealth, and national guidelines, we may move to a hybrid or full remote instructional model.



NA Cyber Academy

NA Cyber Academy offers families the option of online instruction from NA teachers using NA curriculum resources to create an online learning solution. Instruction includes both synchronous and asynchronous learning.

In-Person School Environment



Face Coverings

At this time, the District will not require face coverings, unless directed to do so by local, Commonwealth, and/or federal guidelines.



Lunch

Mealtimes will be staggered to help with distancing. We will follow the Commonwealth guidelines for social distancing when students are eating.



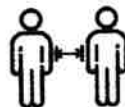
Hygiene

Students and staff are encouraged and reminded to follow good hygiene practices, including frequent hand washing and sanitizing.



Recess

Indoor and outdoor recess will include access to permanent playground equipment and other resources such as sports equipment and board games.



Social Distancing

Students and staff are encouraged to socially distance as much as possible in hallways and stairways.



Large Assemblies & School Activities

Gatherings, concerts, events, assemblies, and extracurricular activities will resume.



Transportation

When students receive their transportation letter in August, the letter will include an assigned seat on the bus.



School Visitors

Visitors will be permitted and are asked to follow the commonwealth guidelines at all times.

For more information, visit na.k12.pa.us/backtoschool

Back to School Planning Committee Updates

The Back to School Planning Committee met on June 3 and June 10. A recap of all committee planning meetings [can be found here](#).

Back to School Interest Survey #2 Results

In May, the District surveyed parents/guardians to gauge their interest between In-Person Instruction and NA Cyber Academy for the 2021-2022 school year. With 94 percent of parents/guardians responding, 94.4% (or 7,543 of 7,993) said they plan to select In-Person Instruction.

- A robust recap of [survey results can be found via this link](#).

Wellness Wednesday and Hybrid Learning

The second survey took a deeper dive into parent/guardian feedback on Wellness Wednesday and Hybrid Learning. More than half of parents/guardians at all school levels said they would like to see Wellness Wednesday incorporated into their student's schedule. At this time, a formal decision has not been made regarding Wellness Wednesday. However, if utilized in the Full Return In-Person model, it would occur in-person during a typical school day, not in a remote setting.

- These [survey results can be found via this link.](#)

We are all excited about our return to school this August. I hope that everyone has a summer filled with fun, good health, and time with friends and family.

Sincerely,

Melissa R. Friez, Ed.D.
Deputy Superintendent

Stay connected with NA on social media!
#NASDlearns



North Allegheny School District | 200 Hillvue Lane, Pittsburgh, PA 15237

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DRAFT PUBLISHED: June 16, 2021



2021-2022 PLAN



North Allegheny
School District

northallegheny.org/backtoschool



In early 2021, the District formed a back-to-school committee. Using a collaborative approach, the committee developed a plan that ensures the District follows appropriate health and safety requirements while offering students full-time, in-person instruction. For those students who choose to learn remotely, NA Cyber Academy will be an option for the upcoming school year.

While the 2021-2022 school year may be less restrictive, returning to school will still require a great deal of planning, communication, collaboration, and flexibility from our staff, students, and parents/guardians. The District will continue to follow local, Commonwealth, and federal guidance, which may require our plans to change.

Back to School Planning Committee

In February 2021, the District formed a Back to School Planning Committee for the 2021-2022 School Year. Members of this committee include:

- NASD Executive Council
- School Administration
- North Allegheny Federation of Teachers
- Committee Groups: Elementary Advisory Council (EAC), Secondary Advisory Council (SAC), Superintendent/Parents Liaison Committee (SPLC)
- Student Services Advisory (SSA)
- Health Services and Medical Community

Back to School Planning Committee Meetings

The Back to School Planning Committee met bi-monthly. For a recap of the planning meetings, [visit this document.](#)

Back to School Planning Updates

During the spring of 2021, the District shared ongoing updates with our community about the plans for the upcoming school year. If you missed an update, please visit the links below.

- February 25, 2021 - [Back to School Planning Update](#)
- March 1, 2021 - [Back to School Planning Survey 1](#)
- April 26, 2021 - [Back to School Planning Update with March Survey Results](#)
- May 10, 2021 - [Back to School Planning Survey 2](#)
- June 17, 2021 - Back to School Planning Update - *To be sent on June 17, 2021*



Instructional Model Preference

2021-2022 Instructional Model Preference

Students and parents/guardians will be asked to select an instructional plan that best fits their needs during the **2021-2022 Instructional Model Preference Final Decision Survey: July 19-25**. Families will be required to make a **final** selection between In-Person Instruction or NA Cyber Academy for the first semester of the 2021-2022 school year. Students will have the option to change enrollment at the end of the first semester.

If an option is not selected, students will default to the in-person learning scenario. If parents/guardians have additional questions, please contact the Office of K-12 Education at **412-369-5896**.

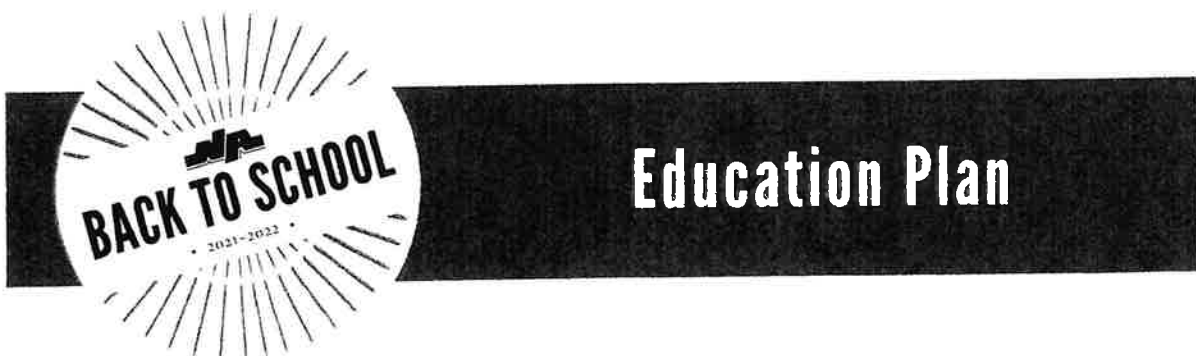
Option 1: In-Person Instruction (K-12)

The North Allegheny School District will be in-person five days a week beginning on Monday, August 23. There are two additional models for instructional delivery for in-person instruction in the event we need to respond to local, Commonwealth, and federal guidelines.

Option 2: NA Cyber Academy (K-12)

The NA Cyber Academy will begin classes on Monday, August 23 and offers families the option of online instruction from NA teachers providing online instruction using NA curriculum resources to create an online learning solution. Instruction includes both synchronous and asynchronous learning.

Detailed information about both of these options is included in this document.



For the 2021-2022 school year, the North Allegheny School District plans to offer full-time, in-person learning for all students K-12. We understand that many of our students need a face-to-face learning environment in order to thrive.

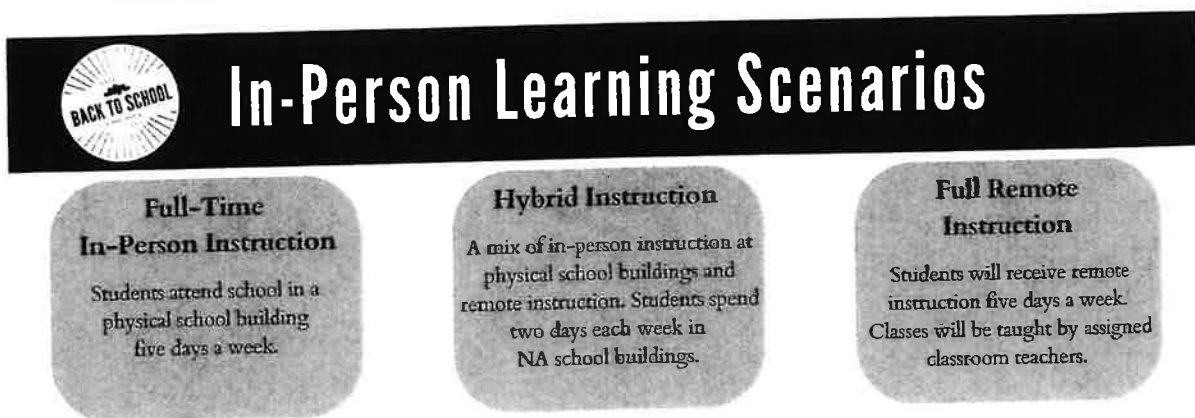
The District continues to implement its Health & Safety Plan and will continue to monitor the spread of COVID-19 within the county. It's possible that students who select In-Person Instruction may need to participate in full remote instruction if asked to quarantine.

We realize each of our students, their families, and our staff members are facing different challenges and obstacles as the circumstances related to COVID-19 evolve rapidly. We will continue to update our plans frequently based on recommendations from local, Commonwealth, and federal guidelines and communicate them to families as quickly as possible.



Guidance on In-Person Instruction

The North Allegheny School District will use the *Recommendations for Pre-K to 12 Schools Following Identification of a Case(s) of COVID-19* as our response to transmission of COVID-19, as it applies to the North Allegheny School District buildings.



BACK TO SCHOOL

In-Person Learning Scenarios

Full-Time In-Person Instruction

Students attend school in a physical school building five days a week.

Hybrid Instruction

A mix of in-person instruction at physical school buildings and remote instruction. Students spend two days each week in NA school buildings.

Full Remote Instruction

Students will receive remote instruction five days a week. Classes will be taught by assigned classroom teachers.

Full-Time In-Person Instruction K-12

During full-time In-Person Instruction, students and staff are face-to-face to allow for social interaction and real-time learning within the confines of the District's Health & Safety Plan. Teachers are following safety protocols while organizing students to work collaboratively. Partner work, small groups, and one-on-one meetings with teachers are taking place through the use of different collaboration tools and strategies including available technology or by maintaining recommended social distance protocols when in-person. All traditional student and staff resources and supports are available in the Full-Time In-Person Instruction setting while implementing the Health & Safety Plan protocols.

- All staff and students report to the school building daily for instruction.
- All staff and students follow enhanced hygiene protocols.
- During the first week of school, we will spend time completing activities welcoming and orienting students back to school.
- All students (grades K-12) have access to Blackboard. In this platform, students can access a variety of videos, lessons, templates, assignments, virtual tutorials, and other tools to support their learning.
- Expectations for K-12 Full In-Person HyFlex Technology Implementation can be found [here](#).

In-Person Instruction - Hybrid Instruction K-12

The District recognizes that at times it may be necessary to decrease capacity in schools and move to Hybrid instruction. If it becomes necessary to shift from full-time In-Person to Hybrid instruction, the District will utilize SchoolMessenger to notify staff, students, and families of this change. During Hybrid instruction, the following will take place:

- All staff report to school to facilitate learning for assigned student groups.
- All staff and students follow enhanced hygiene protocols.
- Students are grouped into cohorts and assigned to report to school on designated days:
 - Students assigned to "Cohort 1" attend Monday and Tuesday of each week.
 - All students work asynchronously (independent work that is not focused on real-time instruction) on Wednesdays to allow for cleaning. In addition to asynchronous instruction, teachers hold extended office hours on Wednesdays.
 - Students assigned to "Cohort 2" attend Thursday and Friday of each week.
 - Cohorts 1 and 2 are designated by the alphabet (A-L for Cohort 1 and M-Z for Cohort 2) so families with children in multiple schools are in school on the same days.

- Families with multiple last names will default to the oldest student in the household's last name.
- Adjustments to student assigned groups may be made as necessary for classroom size, bus capacity, or other reasons to achieve the desired goal of fewer students in school buildings.
- All schools facilitate District programming, including elementary special area classes, academic interventions, English Learners, Special Education, and Gifted programming.
- All students (grades K-12) work to complete assignments with access to their grade-level learning platform, Blackboard. In this platform, students can access a variety of videos, lessons, templates, assignments, virtual tutorials, and other tools to support their learning.
- Teachers maintain regular communication with families and students using Blackboard and other methods of communication. Google Meet or Blackboard Collaborate are the video tools that all teachers will use to hold live sessions with students.
- Expectations for K-12 Hybrid HyFlex Implementation can be found [here](#).
- Student Online Learning at Home Expectations can be found [here](#).

Full Remote Instruction K-12

The Full Remote Instruction plan is enacted when the Full-Time In-Person Instruction and Hybrid options are no longer feasible based on District, local, or commonwealth officials recognizing that the level of community spread is too great and all constituents are at heightened risk. Full Remote Instruction is also utilized by NASD Health Services staff for students who are learning remotely due to:

- District-issued quarantine due to being a close contact of a positive individual
- A doctor-instructed quarantine which will require a note
- Someone in the student or staff member's household has tested positive for COVID-19
- Someone in the student or staff members household has been instructed to quarantine

Students/families **do not have the autonomy to quarantine themselves** from school on days when scheduled to attend in-person instruction. Only NASD Health Services, Allegheny County Health Department or medical provider can initiate the quarantine process.

Full Remote Instruction is a different instructional delivery method than the NA Cyber Academy. Full Remote Instruction is a continuation of the In-Person Instruction option, which means it will be taught by each child's classroom teachers. Staff, students, and families will be notified by the District through a SchoolMessenger phone call and email.

Full Remote schedules have been developed for elementary, middle, and high schools and mimic a student's regular school day, where possible. All weekly schedules include instruction and application of skills through synchronous instruction, asynchronous learning, check-in meetings with teachers, and independent practice that meet Pennsylvania's required hours of instruction by week.

Moving to Remote Instruction

In the event that the District would need to move to a Full Remote or Hybrid schedule, classes will follow the Full Remote Schedules and K-12 Expectations for HyFlex Full Remote Implementation plan found [here](#).

All teachers K-12 will use Blackboard to communicate weekly learning plans by posting an agenda with details for the week. Each agenda will have links to where students and families can review the required work and sessions for the week.

Google Meet or Blackboard Collaborate are the video tools that all teachers will be expected to use to hold live sessions with students/families.

Students will be required to attend the synchronous/live sessions. If students do not attend these sessions, they will be counted as absent for the day unless prior arrangements have been made with the teacher. Students will be expected to “attend” class virtually daily and to complete/turn in assigned work. Attendance guidelines for 2021-2022 can be found [here](#).

Student Online Learning at Home Expectations can be found [here](#).



NA Cyber Academy K-12

We are excited to offer NA Cyber Academy, our 13th school, a K-12 online school within the North Allegheny School District taught by NA teachers.

NA Cyber Academy students remain enrolled in the District and have access to District athletics, extra-curricular activities, and after-school functions that are available throughout the school year following the guidance of District, local, and commonwealth officials. Students are also able to join the in-person clubs, activities, and athletics as well as create their own clubs with NA Cyber Academy teacher sponsors. Additionally, this program allows seniors to graduate with a diploma from the North Allegheny School District.

- The NA Cyber Academy is available for any student.
- Enrollment at NA Cyber Academy is for a full semester. Towards the end of the first semester, parents/guardians will be asked to enroll in either NACA or In-Person Instruction for the second semester. Students who have been enrolled in In-Person Instruction for the first semester will be given the opportunity to enroll in NA Cyber Academy for the second semester.
- The coursework is aligned with NASD's curriculum, allowing easier transitions back to the in-school environment.
- NA Cyber Academy's instructional delivery model will not be affected by a change to instructional delivery based upon additional guidance from the Centers for Disease Control and Prevention, North Allegheny Health Services Department, North Allegheny School Physician, Allegheny County Department of Health, and the Pennsylvania Department of Education.

NA Cyber Academy Curriculum

- NA teachers provide online instruction using NA curriculum and resources.
- Opportunities for interaction with peers may include group projects, discussions, discussion boards, and scheduled community time to connect as NA Cyber Academy learners.
- NA's add/drop process defined in the Program of Studies will apply for NA Cyber Academy.
- For high school courses:
 - Final grades for any high school credit courses appear on the student transcript with the school listed as "NA Cyber Academy". All high school credits will be calculated in the student's GPA.

K-5 NA Cyber Academy Instruction

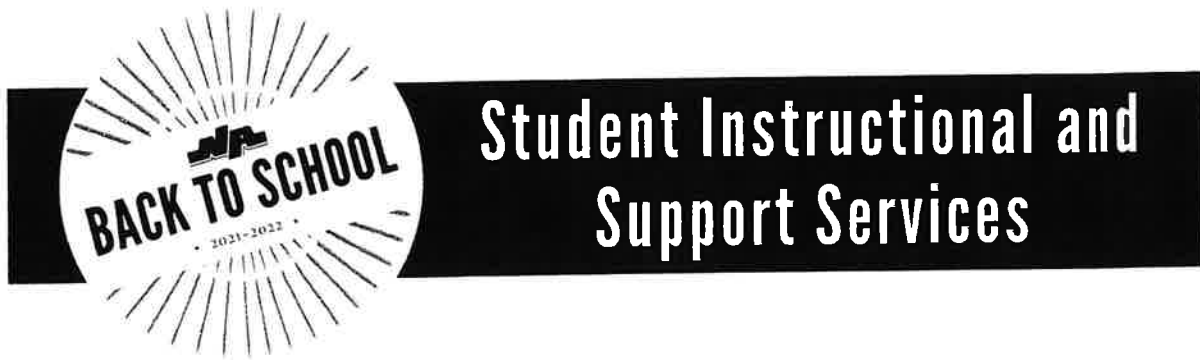
- The school will follow a similar schedule to the in-person elementary schedules.
- Core subjects, including ELA (Reading, Spelling, Grammar, and Writing), Social Studies, Science, and Math Core Content Curriculum will be offered through a blended model of synchronous and asynchronous instruction. Students will receive synchronous instruction through both whole group and small group instruction. In addition, students may also have the opportunity to work asynchronously after attending homeroom. Students will be required to complete the assignments and daily activities during a set timeline determined by the teacher.
- Special Area (Art, Library, Music, and Physical Education) classes will be offered synchronously each week. Students will be required to attend the weekly special area classes. All of the classes will start with whole group synchronous instruction and, depending on content, will transition to asynchronous instruction in order to complete the required assignment for the day.
- Ensuring that students are growing not only academically, but socially as well, students will have the opportunity to connect with their homeroom classes and grade levels through weekly community meetings and virtual clubs.
- Learning coaches are critical for elementary student success throughout remote learning. These coaches may be a parent/guardian or another adult that will support and assist the student's learning, be in contact with the teacher(s), and assist with navigating technology.
- Office hours will be offered daily to students and families. This is a time for learning coaches to ask questions or for students to work 1:1 with a teacher.

6-8 NA Cyber Academy Instruction

- Core subjects, including ELA, Social Studies, Science and Math Core Content Curriculum, and 8th grade World Language will be offered synchronously.
- Unified Arts (PE, Music, Art, Tech Ed, BCIT, and FCS) will be offered asynchronously.
- Students will follow an ABABAB schedule.
- The school will follow the middle school bell schedule.

9-12 NA Cyber Academy Instruction

- Core subjects, including, English, Social Studies, Science, and Math Curriculum will be offered synchronously.
- All other courses will be offered asynchronously.
- Some courses may not be offered due to a lack of student interest and enrollment.
- Based on feedback from the 2020-2021 school year students and staff, students benefit from in-person instruction for courses that include a lab. Students may take these courses online, however in-person is recommended to participate in hands-on learning experiences.
- Students will be required to take all summative assessments at the NAI or NASH test center.
- Students will follow an ABABAB schedule.
- The school will follow the high school bell schedule (NAI for grades 9-10 and NASH for grades 11-12).



English Language Learners

English as a Second Language [ESL] staff works with families to assist in making choices for their selection of options and to assist with any transition if the District moves between options of instruction in the building, Hybrid, or remotely throughout the year.

Students who qualify for English Language instruction can access the North Allegheny ESL curriculum in-person and in the NA Cyber Academy. The program is a standards-based curriculum that focuses on the fundamentals of academic English and literacy development for students who are learning English.

Student Services

Students in both in-person instruction and NA Cyber Academy instruction have access to the NA Student Services Team. The Student Services team is a coordinated group of professionals providing specialized services such as school-based mental health, psychological, school counseling, health/wellness, student assistance, and social work to students within the North Allegheny School District.

504 Plans

The NA School Counseling Department ensures student support through Section 504 of the Rehabilitation Act of 1973. The School Counseling team is available to address individual student needs for students who participate in in-person instruction or the NA Cyber Academy. If your student needs support in school through a 504 plan, please contact your student's [school counselor](#).

Special Education

Special Education service providers follow the District's health and safety protocols in the Special Education environment while implementing each student's Individualized Education Plan (IEP) during in-person instruction. If the District is required to transition to Hybrid or full remote learning, case managers will schedule a parent/teacher conference to discuss the contents of the IEP and create an individualized continuity of learning plan for students in a Hybrid or remote environment. When working with students through alternative delivery models, the District will make a good faith effort within available capabilities to determine how a Free Appropriate Public Education (FAPE) will be provided by considering the following:

- Appropriate resources
- Equal access to learning and required materials
- Ability to provide the services and supports in the IEP
- Parents/guardians, students, and staff training
- Communication processes
- Related Services
- Instructional Assistants
- Assistive Technology

Eligible students enrolled in NA Cyber Academy will be assigned a Special Education case manager who will be responsible for implementing each student's IEP.

Related services will be provided to students in both the in-person and NA Cyber Academy.

Gifted Programming

The NA GOAL program provides enrichment and a broad spectrum of educational opportunities while encouraging individual learners to develop personal responsibility, task commitment, self-discipline, independent learning skills, respectful conduct, and social/emotional balance. Online and project-based enrichment and educational opportunities are made available to students through the GOAL program during all phases of In-Person Instruction as well as in the NA Cyber Academy.

Social and Emotional Wellness

North Allegheny is committed to the social and emotional wellness of our students and staff. Below are ways in which the District is addressing these needs this school year:


- **Student Assistance Program** - The Pennsylvania Student Assistance Program (SAP) is a systematic team process used to mobilize school resources to remove barriers to learning. SAP is designed to assist in identifying issues including alcohol, tobacco, other drugs, and mental health issues that pose a barrier to a student's success.
- **School-Based Mental Health** - Through a partnership with Glade Run, students in grades K-12 can be provided with outpatient mental health services both in the school setting and through teletherapy. This partnership works to effectively diminish barriers that historically have prohibited some families from accessing supportive mental health services.
- **Individual Student Supports** - Students at all levels may be afforded opportunities to address specific social and emotional concerns through individual school counseling sessions.
- **Consultative Support for School Staff** - Classroom teachers have access to consultative support from Social Workers and Positive Behavior Support Specialists to handle student concerns.
- **Employee Assistance Program** - An Employee Assistance Program (EAP) is a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems.



The North Allegheny School District 2021-2022 Health & Safety Plan was developed based on local, Commonwealth, and federal guidance as of June 16, 2021.

Getting Ready For School Safely

Before students come to school, parents/guardians are responsible for monitoring students' symptoms. Students displaying any COVID-19 symptoms must stay home. Please refer to Tiger Strong Live Long: Keeping Our Community Healthy and Well for more information.



TIGER STRONG LIVE LONG: KEEPING OUR COMMUNITY HEALTHY & WELL

Keeping our NASD community healthy and well is a shared responsibility between our families and staff. Conducting regular screenings for illness and ongoing self-monitoring can help reduce exposure to various viruses. **Please stay home if you are sick.** If you feel ill while you are at school, please see the school nurse.

When Should I Keep My Child Home From School?

Please keep your child home if they show any of the following symptoms

- **Active vomiting or diarrhea.**
- **Fever (100° or higher), chills, or general body aches.**
- **Has shown any COVID-19 symptoms** including fever, cough, shortness of breath, chills, muscle pain, repeated shaking with chills, achiness, fatigue, headache, sore throat, and a new loss of taste or smell.
- **Other symptoms of possible concern:** including rash, conjunctivitis (red eyes), swelling of the palms and soles of the feet or skin peeling in those areas, congestion/ runny nose, lymph node enlargement (swollen glands), and sharp abdominal pains.

When Can My Child Return To School After Illness?

- 24 hours since the last episode of active vomiting or diarrhea.
- 24 hours being fever free without the use of fever-reducing medication (fevers of 100° or higher).
- 24 hours after starting antibiotics for bacterial causes.
- Doctor's note of clearance for various student-specific medical conditions.
- For a known exposure to COVID-19, contact your school nurse.

NASD Health & Safety Plan

To view the District's entire Health & Safety plan, visit our website:
www.northallegheny.org

The following guidelines apply to Transportation:

- Transportation routes have been shortened and bus stops consolidated where feasible to limit the amount of time students spend on buses.
- Students should social distance at bus stops.
- **New for the 2021-2022 school year:** when students receive their transportation letter in August, the letter will include an assigned seat on the bus.
- All students are required to follow all Commonwealth face covering guidelines while on the bus and at the bus stop.
- Where possible, the front seats of the bus will remain unoccupied.

Student's Health and Safety At School

Each school will have a comprehensive plan for how they are implementing the District Health & Safety Plan. These plans will be reviewed and approved by the District to ensure proper implementation. These plans will be communicated to families in each building's Back to School Newsletter in August.

Face Coverings

- Students and staff are required to wear face coverings in accordance with the order of the Pennsylvania Department of Health requirements.
- As of June 28, 2021 or when 70 percent of adults get their second dose, whichever comes first, the Commonwealth's mask order can be lifted. At this time, the District will not require face coverings after June 28, unless directed to do so by local, Commonwealth, and/or federal guidelines.
- Students and staff may choose to wear a face covering, even if we are not required by local, Commonwealth, and/or federal guidelines.

Arrival and Dismissal Procedures

- Information regarding late arrivals, item drop off, and early dismissals will be communicated in each building's Back to School Newsletter prior to the start of school.

Hygiene and Social Distancing

- Students and staff are encouraged and reminded to follow good hygiene practices, including frequent hand washing and/or hand sanitizing.
- Students and staff are encouraged to socially distance as much as possible in hallways and stairways.
 - Students will be provided with locations at each school to store their athletic and instrumental materials.
 - Staff should avoid congregating in communal spaces such as copy rooms and teachers lounges during breaks or planning time.

Classroom Arrangements

Desks are turned to face in the same direction, to the maximum extent feasible. Student collaborative group work will resume and desks may be moved in order to form a collaborative work space.

Food Service

NASD will follow the Commonwealth guidelines for face coverings and social distancing when students are eating. As of the publication of this document, these are the guidelines in place. If necessary, based on guidance, additional spaces such as auditoriums, gymnasiums, multi-purpose rooms, and possibly classrooms will be utilized where feasible to reduce student density during lunch periods. Students will be encouraged to wash their hands before and after lunch periods. Meal menus may be revised and limited to support “grab-and-go” style meals and limit a-la-carte and individual serving selections.

Recess

Indoor and outdoor recess will include access to permanent playground equipment and other recess resources such as sports equipment and board games. NASD will follow the Commonwealth guidelines for face coverings.

Large Assemblies and School Activities

- NASD will follow all commonwealth guidelines on face coverings, social distancing, and occupancy limits for events/gatherings.
 - Gatherings, concerts, events, assemblies, and extracurricular activities will resume.
- Field trips will be assessed based on current commonwealth guidelines.
- Clubs and activities will resume and follow the Return to Sports/Activities plan.

School Volunteers/Visitors

- Volunteers/Visitors are required to:
 - Follow the Commonwealth for face coverings and Tiger Strong Live Long: Keeping Our Community Healthy and Well guidelines at all times. In the event someone arrives without a face covering, each school has face masks available to ensure compliance with this requirement. If a visitor is unable to wear a mask, the school will make other arrangements for the visit.

Our Commitment to Keeping Schools Clean

- Custodial staff will conduct frequent cleaning of high traffic areas throughout the school day.
- HVAC systems will be set to increase air turnover and enhanced air filters will be used where practical.
- Portable HEPA air filters may be utilized in areas such as nurse's offices that may have limited outside air circulation. Units may also be used in some large group spaces, such as cafeterias.
- Disinfecting wipes will be made available for staff.
- Many traditional water fountains have been replaced by touchless bottle filling stations across all buildings. Where traditional water fountains remain, they have been disabled or subject to additional cleaning throughout the day. Students are able to carry water bottles in all schools.
- School buses will be cleaned regularly. When feasible, windows will be open to increase air circulation.

Monitoring Student and Staff Health

- Upon exposure to someone who tests positive for COVID-19, the student/employee should stay at home and contact their School Nurse before returning to school. Further information on self-assessment can be found through the Centers for Disease Control and Prevention, PA Department of Health, or Allegheny County Health Department. Upon contacting the School Nurse, you will be asked:
 - If a student or staff member has been diagnosed with COVID-19 in the last 90 days.
 - If a student or staff member has completed a COVID-19 vaccine two weeks prior to last exposure.
 - If one of these applies and supporting documentation is provided, the student/staff member will be excused from quarantine.
- If a student or staff member is diagnosed with COVID-19, with or without a positive test and/or symptoms, the District will follow applicable health department protocol and guidance on contact tracing, quarantine, and/or isolation while respecting the confidentiality of those involved.
- If your student or someone in your student's household is being tested for COVID-19, immediately notify your building nurse.
- If a student or staff member develops COVID-like symptoms, they will be asked to follow up with their PCP.
- Vaccinations **will not be** required unless the Pennsylvania School Code is updated to reflect a requirement for school registration.

COVID-19 Communication and Response to Transmission

North Allegheny School District recognizes that information and safety recommendations are rapidly changing. The District continues to develop ongoing communications to provide staff and parents/guardians with timely information on the District's preparation for, the incidence of, and response transmission of COVID-19. We will continue to work with the North Allegheny Health Services Department and the Allegheny County Health Department on specific communication and review on a case-by-case basis.

COVID-19 Case Communication

To provide transparency to our community, the District updates the COVID-19 page on the North Allegheny School District website daily with new confirmed cases. The cases are listed by building in a table format.

The District notifies parents/guardians via email when their student has been in a **classroom, bus, sports team, or activity** with a student or staff member who has tested positive for COVID-19.

- **When a student or staff member is present in a classroom, bus, sports team, or activity where an individual tests positive for COVID-19:**
 - Staff and parents/guardians receive written communication via email sharing that they may have been in direct contact with a person who has tested positive for COVID-19.
 - The letter contains action steps to be taken and any recommendations provided by the Allegheny County Health Department.
 - If there are multiple cases in one day, the District will send one email per day to staff, parents/guardians, etc. with cases grouped together.

COVID-19 Response to Transmission

We will use the Recommendations for Pre-K to 12 Schools Following Identification of a Case(s) of COVID-19 as our response to transmission of COVID-19, as it applies to the North Allegheny School District buildings. This chart aligns each NASD school building to the commonwealth student enrollment designations of small, medium, or large. This information will be used to determine when a school must go to full remote based on this new order.

Substantial Spread				
Building Size	NA Buildings	Number of Cases of COVID-19 Within a Rolling 14-Day Period		
Small (<500 Students)	BWE, HES, IES, PES	1 student/staff	2-4 students/staff in the same school building	5+ students/staff in the same school building
		The school does not need to close	Close school(s) for 2-3 days	Close school(s) for 5 days
Medium (500-900 students)	CMS, FES, IMS, MES, MCK, MMS	1-3 students/staff	4-6 students/staff in the same school building	7+ students/staff in the same school building
		The school does not need to close	Close school(s) for 2-3 days	Close school(s) for 5 days
Large (>900 students)	NAL, NASH	1-5 students/staff	6-10 students/staff in the same school building	11+ students/staff in the same school building
		The school does not need to close	Close school(s) for 2-3 days	Close school(s) for 5 days

Moderate Spread				
Building Size	NA Buildings	Number of Cases of COVID-19 Within a Rolling 14-Day Period		
Small (<500 Students)	BWE, HES, IES, PES	1 student/staff	2-4 students/staff in the same school building	5+ students/staff in the same school building
		The school does not need to close	Close school(s) for 1-2 days	Close school(s) for 5 days
Medium (500-900 students)	CMS, FES, IMS, MES, MCK, MMS	1-3 students/staff	4-6 students/staff in the same school building	7+ students/staff in the same school building
		The school does not need to close	Close school(s) for 1-2 days	Close school(s) for 5 days
Large (>900 students)	NAL, NASH	1-5 students/staff	6-10 students/staff in the same school building	11+ students/staff in the same school building
		The school does not need to close	Close school(s) for 1-2 days	Close school(s) for 5 days

Low Spread				
Building Size	NA Buildings	Number of Cases of COVID-19 Within a Rolling 14-Day Period		
Small (<500 Students)	BWE, HES, IES, PES	1 student/staff	2-4 students/staff in the same school building	5+ students/staff in the same school building
		The school does not need to close	Close school(s) for 1-2 days	Close school(s) for 5 days
Medium (500-900 students)	CMS, FES, IMS, MES, MCK, MMS	1-3 students/staff	4-6 students/staff in the same school building	7+ students/staff in the same school building
		The school does not need to close	Close school(s) for 1-2 days	Close school(s) for 5 days
Large (>900 students)	NAL, NASH	1-5 students/staff	6-10 students/staff in the same school building	11+ students/staff in the same school building
		The school does not need to close	Close school(s) for 1-2 days	Close school(s) for 5 days

Privacy

It is our commitment to provide our community with factual, transparent, and critical information in a timely manner while respecting the privacy of our students and staff. If a colleague, friend, family member, client, student, or anyone else informs you of a COVID-19 diagnosis, please keep it confidential.

Plan Subject to Change

This document was drafted on June 16, 2021 and is subject to updates. If and when the circumstances surrounding the COVID-19 pandemic change, the federal, Commonwealth, and local guidance may also change.

From: North Allegheny School District <noreply@northallegheny.org>

Sent: Thursday, June 17, 2021 11:30 AM

Subject: 2021-2022 Back to School Planning Update



2021-2022 Back to School Planning Update

Dear North Allegheny School District Parents/Guardians,

After navigating a challenging school year, we are looking forward to new beginnings in August. North Allegheny School District will be returning to five days a week of in-person learning for the 2021-2022 school year and offering NA Cyber Academy for K-12 students that would like to learn remotely.

Included in this email, you will find:

- The District's Back to School plan, which includes the combined Health & Safety and Education plans
- Back to School Planning Committee update
- Results from the District-wide survey in May

By sharing this information we hope to ensure families are prepared to select an Instructional Model for their student(s) during the week of July 19-25, 2021.

North Allegheny School District Health & Safety and Education Plans

In early 2021, the District formed a Back to School Planning Committee that included NASD staff, third-party members of the medical community, and parents/guardians. Using a collaborative approach, the committee developed the Health & Safety and Education Plans for the 2021-2022 school year. These plans were created with the information that we know now. The District will continue to follow local, Commonwealth, and national guidance, which may require our plans to change.

- North Allegheny School District 2021-2022 Back to School Plan
 - *This includes a combination of the Health & Safety and Education Plans*

Additional Health & Safety and Education Plan Documents

For more in-depth information about the District's plans, below are several resources:

- Health & Safety Plan 2021-2022 Committee Meeting Presentation (May 12, 2021)
- ARP ESSER Health and Safety Plan Guidance & Template: The NASD Health and Safety Plan was adapted from this template required by the Commonwealth and Pennsylvania Department of Education (June 16, 2021)
- Education Plan 2021-2022 Presentation to the Board of Directors (June 16, 2021)

The North Allegheny Board of School Directors will vote to approve the Back to School Plan at the June 23, 2021 meeting.

Back to School Plan Overview



North Allegheny Back To School Information 2021-2022

Updated June 16, 2021

The District will continue to follow local, Commonwealth, and national guidance, which may require our plans to change.

Learning Options For Grades K-5



In-Person Instruction

NASD will be in-person five days a week beginning on Monday, August 23. In the event we need to respond to local, Commonwealth, and national guidelines, we may move to a hybrid or full remote instructional model.



NA Cyber Academy

NA Cyber Academy offers families the option of online instruction from NA teachers using NA curriculum resources to create an online learning solution. Instruction includes both synchronous and asynchronous learning.

In-Person School Environment



Face Coverings

At this time, the District will not require face coverings, unless directed to do so by local, Commonwealth, and/or federal guidelines.



Lunch

Mealtimes will be staggered to help with distancing. We will follow the Commonwealth guidelines for social distancing when students are eating.



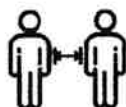
Hygiene

Students and staff are encouraged and reminded to follow good hygiene practices, including frequent hand washing and sanitizing.



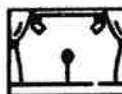
Recess

Indoor and outdoor recess will include access to permanent playground equipment and other resources such as sports equipment and board games.



Social Distancing

Students and staff are encouraged to socially distance as much as possible in hallways and stairways.



Large Assemblies & School Activities

Gatherings, concerts, events, assemblies, and extracurricular activities will resume.



Transportation

When students receive their transportation letter in August, the letter will include an assigned seat on the bus.



School Visitors

Visitors will be permitted and are asked to follow the commonwealth guidelines at all times.

For more information, visit northallegheny.org/backtoschool

Back to School Planning Committee Updates

The Back to School Planning Committee met on June 3 and June 10. A recap of all committee planning meetings [can be found here](#).

Back to School Interest Survey #2 Results

In May, the District surveyed parents/guardians to gauge their interest between In-Person Instruction and NA Cyber Academy for the 2021-2022 school year. With 94 percent of parents/guardians responding, 94.4% (or 7,543 of 7,993) said they plan to select In-Person Instruction.

- A robust recap of [survey results can be found via this link](#).

Wellness Wednesday and Hybrid Learning

The second survey took a deeper dive into parent/guardian feedback on Wellness Wednesday and Hybrid Learning. More than half of parents/guardians at all school levels said they would like to see Wellness Wednesday incorporated into their student's schedule. At this time, a formal decision has not been made regarding Wellness Wednesday. However, if utilized in the Full Return In-Person model, it would occur in-person during a typical school day, not in a remote setting.

- These [survey results can be found via this link](#).

We are all excited about our return to school this August. I hope that everyone has a summer filled with fun, good health, and time with friends and family.

Sincerely,

Melissa R. Friez, Ed.D.
Deputy Superintendent

Stay connected with NA on social media!
#NASDlearns



North Allegheny School District | 200 Hillvue Lane, Pittsburgh, PA 15237

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Sent by noreply@northallegheny.org powered by



From: Melissa Friez <mfriez@northallegheny.org>

Sent: Wednesday, July 21, 2021 12:18 PM

Subject: Re: Complete NA 2021-2022 Student Enrollment by July 25

Hello,

Thank you for your email. The CDC and AAP create guidance at the national level, and do not take into consideration varying levels of transmission and vaccination coverage in individual communities. Last year, at the local level, the Pennsylvania Department of Health enacted a mask mandate for all Pennsylvanians, along with requirements specific to schools. The District was required to follow the face covering mandate, but did have local control over all other prevention strategies. This year, the Commonwealth aligned their recommendations with the CDC guidance, however did not mandate any of the prevention strategies. Instead they made it a local decision and recommended layering prevention strategies and cited that the prevention strategies will vary based on local levels of community transmission, vaccination coverage, and policies and regulations.

The District has reviewed the CDC guidance, alongside the historical NASD case data, current NASD community case data for Bradford Woods, Franklin Park, McCandless, and Marshall Townships and 7-day moving Allegheny County community case data.. The first prevention strategy NASD will lift is the mandatory face covering requirement, consistent with the Pennsylvania Department of Health. The District will allow staff and parents/guardians to decide if they or their students should attend school with a face covering.

For the 2021-2022 school year, North Allegheny School District will take a layered approach to prevention strategies. This will occur by leveraging the guidance for K-12 schools provided by the Center for Disease Control and Prevention and adopted by the Pennsylvania Department of Education and Pennsylvania Department of Health that prioritizes in-person learning. NASD's approach balances protecting students' health with creating a school environment that maximizes student learning while complying with mandates and leveraging the flexibility provided by CDC guidance.

The CDC provides guidance for different types of prevention strategies. Specifically it:

- recommends layering prevention strategies.
- gives districts local control over administering the prevention strategies.
- includes guidance on removing prevention strategies, based on local conditions, as long as they are removed one at a time and monitored closely.

As a result of lifting the face covering prevention strategy, we will continue to closely monitor local conditions, as recommended in the CDC guidance, and we will continue to follow these prevention strategies established last year:

- At-home COVID-19 symptom monitoring, with the expectation that students and staff will stay home if they are sick
- Hand hygiene practices
- Cleaning and disinfecting practices
- Face coverings required on buses, as per the Federal mandate
- HVAC systems will be set to increase air turnover and enhanced air filters will be used where practical.
- Physical distancing of 3 feet during lunch
- Desks are turned to face in the same direction, to the maximum extent feasible. If desks or workstations cannot be moved, students will be spaced as far apart as practical..
- Portable HEPA air filters may be utilized in areas such as nurse's offices that may have limited outside air circulation. Units may also be used in some large group spaces, such as cafeterias.
- Contact tracing at 6 feet, in combination with isolation and quarantine
- Data monitoring and case reporting
- Promoting vaccination opportunities for staff, students, and the community

The District will continue to monitor the spread of COVID-19 within our school community and is prepared to quickly make decisions to increase prevention strategies. The District may decide to require face covering for reasons such as (but not limited to): community spread of the illness in classrooms, individual school buildings, and across the district, or a change in the community transmission level in the county. This also includes regular consultation with the Allegheny County Health Department and our District physician. In addition to these measures, the District will comply if it is mandatory to implement face coverings by local, Commonwealth, and/or Federal officials.

As we approach the 2021 -2022 school year, our administration and staff will continue to ensure that our schools remain safe, caring, and respectful learning environments. As a District we are committed to implementing prevention strategies to keep our students and staff healthy and safe.

Sincerely,

Melissa

Melissa R. Friez, Ed.D.
Superintendent
North Allegheny School District
200 Hillvue Lane
Pittsburgh, PA 15237
412-369-5430





Complete NA 2021-2022 Student Enrollment by July 25

Dear North Allegheny School District Parents/Guardians,

North Allegheny School District is looking forward to the 2021-2022 school year, beginning on Monday, August 23. The District will return to five days a week of in-person learning for the and will offer NA Cyber Academy for K-12 students that would like to learn remotely. **The District has updated its Back to School Plan to reflect updated guidance. Please see below for further details.**

Instruction Preference Deadline - July 25, 2021

The District is requiring all NASD parents/guardians to select an Instructional Model for their student(s) for the first semester of the 2021-2022 school year. The selection made in this survey will be in effect through the end of the 2nd quarter, which will end on January 13, 2022. We ask that all families **confirm their enrollment selection at the form link(s) provided (below) no later than Sunday, July 25 at 11:59 p.m.** Submissions received after that time will not be accepted.

- Each form should be **completed only once per student.**
- Once enrolled, students will not be able to choose another instructional option for the first semester of the 2021-2022 school year.
 - If an enrollment selection is not made, students will automatically be enrolled in in-person instruction for the first semester of the 2021-2022 school year.

Please confirm your updated enrollment selection using the link(s) below for the following student(s):

Annabel Metropulos <https://nasd.school/2122R2S3/a60e14c2abf26b7243e0e1ad467ea8db88e9310e>

Helena Metropulos <https://nasd.school/2122R2S3/e91c4009bc44981463a6b5b531ba5435d12c3d33>

Luke Metropulos <https://nasd.school/2122R2S3/648d5ab73f23de1446c24feaea8ee665a379fc18>

If you cannot click on the links above, please copy the URL and paste it into your browser for each student listed. If you have any questions, please contact Technology Services at servicedesk@northallegheny.org.

North Allegheny School District
<noreply@northallegheny.org>
Reply-To: noreply@northallegheny.org

Tue, Aug 10, 2021 at 4:15
PM



Welcome to the 2021-2022 School Year! **It's a Great Day to Be a Tiger!**

Dear North Allegheny Parents/Guardians,

On Monday, August 23, North Allegheny School District will welcome our students back to school. On the first day and every day, it's always a great day to be a Tiger! The energy and passion our students bring when they walk through our doors ignites our staff and sets the tone for an exciting year!

The start of any school year is a time to reunite and reconnect. Students and staff will share stories from summer break. After a year of virtual learning, some of our NA Cyber Academy students and teachers will be reunited in their schools. Some students will embark on their education journey as they join the District as a Kindergartner or new student.

This year will mark a new adventure for me as your Superintendent of Schools. I look forward to creating new connections with our students, staff, and NA community. I am committed to making our District a welcoming and safe place to prepare all students for success in a changing world.

Monitoring the health of our community, while prioritizing in-person learning experiences will continue to be a priority as we head into the new school year. Working together, we can create a successful school year for our students.

Sincerely,

Melissa R. Friez, Ed.D.
Superintendent

Back to School Guides

Each year, the District publishes annual Back to School guides for families. Please click on the links below to learn important information about your student's school experience.

- [Beginnings \(K-5\)](#)
- [Transitions \(6-8\)](#)
- [Progressions \(9-12\)](#)

Your student's principal will share a handbook with specific instructions for each student's building.

2021-2022 Activities Calendar

Arriving in mailboxes soon, the 2021-2022 NASD Activities Calendar! The cover image includes artwork from NAI's "Annual Tiger Painting," which has been a tradition since 2007. Sophomore students in Drawing and Painting 3 create a painting that is their own unique expression of our school District's mascot, the Tiger. Once complete, the paintings are displayed in Tiger Hall (the main hallway of NAI), with one painting chosen by the 10th grade class to be permanently framed and displayed as the official "class painting."

Sophomore Heidi Santolla's painting was chosen to represent the Class of 2023. Her painting will be the 14th to be permanently framed and displayed in Tiger Hall.

You can view a digital version of the calendar at www.northallegheny.org/ActivitiesCalendar.

Homeroom Teacher and Schedules

- Elementary parents/guardians will be able to sign into Tyler on Friday, August 13, at 8:00 a.m. to view their child's homeroom placement.
- Secondary students' schedules will be available in Tyler on Tuesday, August 17, at 3:00 p.m. This District is currently working on teacher placements/schedules, and this information will be finalized by the dates listed above.

Free Lunch

The U.S. Department of Agriculture (USDA) has extended its free lunch program through June 30, 2022. Printable versions of monthly menus for the elementary program and the secondary program are available on our website. Students may make cafeteria purchases by utilizing the Point of Sale (POS) computerized debit system, which requires them to provide their Personal Identification Number (PIN).

NA Cyber Academy students will have access to free breakfast and lunch. Instructions on how to place meal orders have been sent to NACA students.

Visit our website for additional information about the District's Food Services.

Back to School Plan

As was shared in the Back to School Plan, the District will continue to monitor the spread of COVID-19 within the school community and is prepared to quickly make decisions to increase prevention strategies. The District may decide to require face coverings for reasons such as (but not limited to): community spread of the illness in classrooms, individual school buildings, and across the District, or a change in the community transmission level in the county. This also includes regular consultation with the Allegheny County Health Department and the District physician.

If a student or staff member is diagnosed with COVID-19, the District will follow applicable health department/CDC protocol and guidance on contact tracing, quarantine, and/or isolation while respecting the confidentiality of those involved.

Proof of COVID-19 Vaccination

To accurately determine how many students are fully vaccinated against COVID-19, we are asking parents/guardians to complete this survey. This will also help to identify students who need to quarantine after a confirmed positive case of COVID-19. This information will be kept confidential.

This survey will remain open until further notice. Please complete the survey after completing the required doses of the vaccine.

Tiger Strong Live Long: Keeping Our Community Healthy & Well

Before students come to school, parents/guardians are responsible for monitoring students' symptoms. Students displaying any COVID-19 symptoms must stay home. Please refer to Tiger Strong Live Long: Keeping Our Community Healthy and Well for more information.



TIGER STRONG LIVE LONG: KEEPING OUR COMMUNITY HEALTHY & WELL

Keeping our NASD community healthy and well is a shared responsibility between our families and staff. Conducting regular screenings for illness and ongoing self-monitoring can help reduce exposure to various viruses. **Please stay home if you are sick.** If you feel ill while you are at school, please see the school nurse.

When Should I Keep My Child Home From School?

Please keep your child home if they show any of the following symptoms

- **Active vomiting or diarrhea.**
- **Fever (100° or higher), chills, or general body aches.**
- **Has shown any COVID-19 symptoms** including fever, cough, shortness of breath, chills, muscle pain, repeated shaking with chills, achiness, fatigue, headache, sore throat, and a new loss of taste or smell.
- **Other symptoms of possible concern:** including rash, conjunctivitis (red eyes), swelling of the palms and soles of the feet or skin peeling in those areas, congestion/ runny nose, lymph node enlargement (swollen glands), and sharp abdominal pains.

When Can My Child Return To School After Illness?

- 24 hours since the last episode of active vomiting or diarrhea.
- 24 hours being fever free without the use of fever-reducing medication (fevers of 100° or higher).
- 24 hours after starting antibiotics for bacterial causes.
- Doctor's note of clearance for various student-specific medical conditions.
- For a known exposure to COVID-19, contact your school nurse.

NASD Health & Safety Plan

To view the District's entire Health & Safety plan, visit our website, www.northalleghehy.org

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Update to North Allegheny Health & Safety Plan

1 message

North Allegheny School District
<noreply@northallegheny.org>
Reply-To: noreply@northallegheny.org

Fri, Aug 13, 2021 at 2:00 PM



Update to North Allegheny Health & Safety Plan

Dear North Allegheny School District Parents/Guardians,

The North Allegheny School District began planning for the 2021-2022 school year with various stakeholders in February. Throughout this process, the committee reflected on the desire from our community to consistently provide in-person instruction in a safe environment. The main goal of our Back to School Planning Committee was to **maximize in-person learning while providing a safe environment for students and staff**. The committee created a plan using this goal to guide all decisions. The Back to School Plan was approved unanimously by the NASD Board of School Directors in June.

Earlier this summer, we were hopeful that the upcoming school year would be less impacted by the COVID-19 global pandemic. While we remained optimistic for a traditional return to school, the District reinforced the possibility of changing our plan based on current conditions.

We are over one week away from the start of the school year and a change to our plan is necessary.

In order to honor the commitment to five days of in-person instruction and the need for our students to return to school to a safe environment with as few interruptions as possible, **NASD will require face coverings indoors for**

students, staff, and visitors for grades K-12 beginning Monday, August 16.

This decision to consider universal masking is a result of several factors:

- Analyzing COVID-19 data from last school year, as well as county and community statistics over the past month.
- Consultation with the Allegheny County Health Department and District Physician.
- Changes in the quarantine procedures that would negatively impact our ability to ensure consistent in-person instruction for all students.

Next week, an update to the District's Back to School plan will be shared during the NASD Board of School Directors meeting. The draft presentation for Wednesday night, which includes the rationale for this change and other updates to the Health & Safety Plan, [can be found here](#).

As a school community, we have worked through many challenges over the last 18 months and we will continue to do so, together. Ensuring students are at school for in-person learning remains our top priority as we begin the 2021-2022 school year. We understand and recognize that there are varying opinions within our community regarding mitigation strategies. One common theme is that we all want the same thing: a high-quality educational experience in an environment that is safe and welcoming for all students, staff, and families.

Thank you for your continued support. We look forward to welcoming our students and staff back over the next week.

Sincerely,

Melissa R. Friez, Ed.D.
Superintendent

Stay connected with N/A on social media!
#NASDlearns



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2021-2022 Health and Safety Plan Update
August 18, 2021



Agenda

- Welcome
- Review of Back to School Planning and Health and Safety Data
- Updates to Health and Safety Plan
- Reminders for School Readiness

Back to School 2021-2022

- Survey results from families during the planning process indicated a desire for consistent in-person instruction in a safe environment.
- Based on this desire, the main goal of our Back to School Planning Committee was to **maximize in-person learning while providing a safe environment for students and staff.**
- The committee created a plan that was focused on returning to school five days a week to a safe school environment.
- Earlier this summer, we were hopeful that the upcoming school year would be less impacted by the COVID-19 global pandemic. While we remained optimistic for a traditional return to school, the District reinforced the possibility of changing our plan based on current conditions.

2021-2022 NASD Back to School Planning Committee

- NASD Executive Council
- School Administration
- North Allegheny Federation of Teachers
- Committee Groups:
 - Elementary Advisory Council (EAC)
 - Secondary Advisory Council (SAC)
 - Superintendent's Parents' Liaison Committee (SPLC)
 - Student Services Advisory (SSA)
- Health Services
- Medical Community



Update to 2021-2022 Back to School Plan

In order to maximize in-person learning while providing a safe environment for students and staff, **NASD will require face coverings indoors for students, staff and visitors for grades K-12 starting Monday, August 16.**

This decision to consider universal masking is a result of several factors:

- Analyzing COVID-19 data from last school year and county and community statistics over the past month.
- Consultation with the Allegheny County Health Department and District Physician.
- Changes in the quarantine procedures that would negatively impact our ability to ensure consistent in-person instruction for all students.

NASD will continue to evaluate the current conditions and make decisions that maximize in-person learning while providing a safe environment for students and staff.





Review of Health and Safety Plan Data

- Impact of Quarantine
- Impact of School Closures due to Positive Cases
- Allegheny County COVID-19 Case Data
- North Allegheny Municipality COVID-19 Cases
- Consultation with the District Physician and Health Services

Impact of Quarantine: History

2020 - 2021 School Year

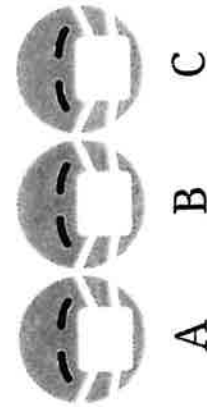
NASD was required to quarantine all students within six feet for 15 minutes or more, regardless of their use of a face covering.

2021 - 2022 School Year

CDC guidance states the following:

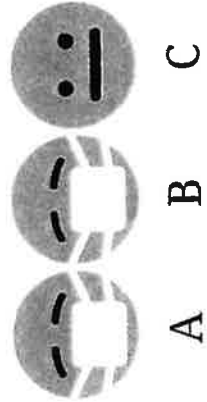
- **New** In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student **if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.**
- This exception does not apply to teachers, staff, or other adults in the indoor classroom setting.
- Students or staff who have had COVID-19 within the past 90 days and are symptom free and/or received their last dose of a COVID-19 vaccine two weeks prior to the last date of exposure may be exempted from quarantine after consultation with the school nurse.

Impact of Quarantine



Scenario #1

Students A, B, & C are all masked. Therefore, all three students do not need to be quarantined, but Student A will be out of school until they recover.



Scenario #2

Student A is masked, and Student B is masked, but Student C is unmasked. Student A will be out until they recover, Student B doesn't need to quarantine, and Student C will be expected to quarantine.



Scenario #3

Student A is not masked, but Students B & C are. Student A is out of school until they recover. The guidance specifically states that the positive individual and the surrounding students must all be masked, so Students B & C will be asked to quarantine, even though they were correctly and consistently masked.

In all scenarios, student A tested positive for COVID-19

MA

Impact of Quarantine

- 9,293 quarantine notices were issued during the 2020-2021 school year for the following reasons:
 - Students and Staff who were confirmed positive cases
 - 120 Confirmed Positive Staff Cases
 - 421 Confirmed Student Positive Cases
 - Student and Staff who were close contacts inside of school
 - Student and Staff who were close contacts outside of school
- 2,228 students were quarantined one time
- 2,335 students were quarantined more than one time
 - Maximum number of times quarantined in 2020-2021 was 9
 - Length of quarantine was a maximum of ten days and a minimum of two days
 - Missed in-person instruction due to quarantine does not take into consideration the number of days a school was shifted to remote learning due to community transmission

(All quarantine data collected from NASD data sources.)



Impact of Quarantine

- **Quarter 2 Quarantine Procedures:** When a case was identified the full classroom, bus, and sports/activity pod was quarantined.
- **Quarter 3 Quarantine Procedures:** All staff and students within six feet for 15 minutes or more were quarantined. Bus quarantine procedures were changed to include those on the bus with the positive individual for 15 consecutive minutes or more.
- **Comparing NASD Quarter 2 and 3:** Both quarters had similar number of cases (Qtr. 2: 152 and Qtr. 3: 154) and a similar amount of student quarantines (Qtr. 2: 2832 and Qtr. 3: 3060).
- The quarantine numbers were similar, regardless of quarantine procedure used.
- It is also important to note, to start the 2021-2022 school year, we will have 97% of our students in-person five days a week, as opposed to last year when we had approximately 76% of our students in-person for quarters 2 and 3, with K-8 five days a week and 9-12 hybrid.



NA

Impact of Quarantine

Student Quarantine Frequency During the 2020-2021 School Year

Number of Times Quarantined	Number of Students	Number of Times Quarantined	Number of Students
2	1,286	6	29
3	652	7	6
4	262	8	2
5	97	9	1

Impact of Quarantine

- 519 total staff members were quarantined due to COVID-19.
- 362 staff members were quarantined one time.
- 157 staff members were quarantined more than one time.
 - Maximum number of times quarantined in 20-21 was six.
 - Length of quarantine was a maximum of 10 days and a minimum of two days.





Impact of Quarantine

Staff Quarantine Frequency During the 2020-2021 School Year

Number of Times Quarantined	Number of Staff Members
2	108
3	29
4	10
5	7
6	3



Impact of School Closure

Number of days in-person instruction was shifted to remote learning due to cases:

School	Days remote	School	Days Remote
NASH	39	BWE	21
NAI	32	FES	21
CMS	28	HES	21
IMS	25	IES	21
MMS	33	MCK	23
		MES	24
		PES	24

Allegheny County Transmission Data

- Allegheny County started in substantial level of community transmission on August 2, 2021 and as of August 14, 2021, is now in a high level of community transmission. The last time we were in substantial transmission was April 23, 2021.
- High transmission is considered 100 or more cases per 100,000, or a positivity rate between 10% or higher.
- Due to the circulating and highly contagious Delta variant, CDC recommends universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status.
 - 64% of cases in our region are the Delta variant.
- The Allegheny County Health Department encourages Districts to follow this recommendation.

(Allegheny County Health Department Website)





Allegheny County COVID-19 Cases

- The cases of school age children 5-18 years old has increased over the last four weeks.
(Allegheny County Health Department Website)

Week of	Number of Cases of 5-18 Years Old	Total Number of Cases all Ages
July 10 - 16, 2021	28	173
July 17 - 23, 2021	37	297
July 24 - 30, 2021	74	570
July 31 - August 6, 2021	137	756
August 7 - 13, 2021	168	1165

North Allegheny Municipality COVID-19 Cases

- The number of COVID-19 cases in our municipalities has increased over the last three weeks.
- (Allegheny County Health Department)

July 7-16 2021	Number of cases	Number of tests	Population	Daily average incidence rate (per 10,000)	Weekly positivity rate (%)
Bradford Woods	0	5	1147	0	0
Franklin Park	3	75	14749	0.290576601	4
McCandless	2	108	28311	0.100919885	1.851851852
Marshall	0	43	9355	0	0
Cumulative	5	231	53562	0.133356804	2.164502165
July 17-26 2021	Number of cases	Number of tests	Population	Daily average incidence rate (per 10,000)	Weekly positivity rate (%)
Bradford Woods	0	9	1147	0	0
Franklin Park	0	79	14749	0	0
McCandless	3	114	28311	0.151379827	2.631578947
Marshall	0	51	9355	0	0
Cumulative	3	253	53562	0.080014082	1.185770751
July 27-Aug 3 2021	Number of cases	Number of tests	Population	Daily average incidence rate (per 10,000)	Weekly positivity rate (%)
Bradford Woods	0	7	1147	0	0
Franklin Park	9	116	14749	0.871729803	7.75862069
McCandless	13	213	28311	0.655979251	6.103286385
Marshall	13	111	9355	1.985187448	11.71171171
Cumulative	35	447	53562	0.933497629	7.829977629



Consultation with District Physician and Health Services

- Weekly meetings were held with the District Physician and Health Services starting in July 2021 to review county and local data and guidelines.
- As the weeks progressed, case counts for both children 5-18 and adults increased throughout the county, overall case counts increased for our municipalities and the updated CDC guidance on quarantines required us to look more closely at our quarantine numbers from 2020 - 2021.
- Based on these discussions, to avoid large number of quarantines and maximize in-person learning while providing a safe environment for students and staff, the group agreed that requiring masks was necessary.





Updates to Health and Safety Plan

- Prior to the start of the school year, there are a few additional updates to our Health and Safety Plan.
 - Only changes to the Health and Safety Plan since it was last shared on July 19 are included.
 - All changes are denoted with a ♦ throughout the plan.
 - The updated Back to School Plan will be uploaded to our website by August 19.



Health and Safety at School

Face Coverings ♦

- Face coverings for staff, students, and visitors are optional but strongly recommended.
- Face coverings are still required by the Federal government on public transportation, which includes NASD-provided transportation and buses.
- The Board of Directors voted 6-3 to make masks optional but strongly recommended, for students, staff, and visitors through September 22, 2021.
- This vote will be reviewed again at the September 22, 2021 Board of Directors meeting.



Health and Safety at School

Face Covering Breaks♦

- If a student chooses to do so, there will be an opportunity for a scheduled face covering break during class periods, not to exceed five minutes.
- Face covering breaks will be staggered in the classroom to allow six feet between those without face coverings on.
- When possible, outdoor classroom spaces can be utilized to assist with face covering breaks.
- Students and staff are permitted to remove their face coverings when outdoors, including recess.



Health and Safety at School

Food Service ♦

Students will be seated six feet apart at lunch time for the 2021-2022 school year. If necessary, additional spaces such as auditoriums, gymnasiums, multi-purpose rooms, and possibly classrooms will be utilized where feasible to reduce student density during lunch periods. Students will be encouraged to wash their hands before and after lunch periods. Meal menus may be revised and limited to support “grab-and-go” style meals and limit a-la-carte and individual serving selections.



Students Health and Safety at School

Large Assemblies and School Activities ♦

Gatherings, concerts, events, assemblies, and extracurricular activities may resume following the guidance below:

Events During the School Day with Students:

- Whole school assemblies will not occur unless held outside.
- Grade level assemblies may occur if students are seated at least three feet apart.
- Field trips will not be scheduled for the start of the school year.
- Clubs and activities will resume and follow the Back to Sports/Activities Plan.

Events in the Evening Indoors:

- All visitors are required to wear a face covering when entering any District building.
- Events cannot involve food unless the food is served and consumed outside.
- For curriculum nights, it is recommended that only one family member per household attend due to space in classrooms.
- Families will be asked to sign in to each event that require families to be in a classroom or multi-purpose room for 15 minutes or more.

Outdoor Events:

- Face coverings are not required outside.
- There are no current limits on outdoor gathering limits.



Students Health and Safety at School

School Volunteers/Visitors ♦

- Volunteers/Visitors are permitted on school property.

Monitoring Student and Staff Health

- The District will complete case investigation and contact tracing for any student or staff member who tests positive for COVID-19 and has been in the school environment during their infectious period.
- If a student or staff member is diagnosed with COVID-19, the District will follow applicable health department protocol and guidance on contact tracing, quarantine, and/or isolation while respecting the confidentiality of those involved.
- If your student or someone in your student's household is being tested for COVID-19, immediately notify your building nurse.
- If a student or staff member develops COVID-like symptoms, they will be asked to follow-up with their PCP and may be asked to remain home in isolation for up to 10 days, depending on circumstances.



Monitoring Student and Staff Health

- Upon exposure to someone who tests positive for COVID-19, the student/employee should stay at home and contact their School Nurse before returning to school. Further information on self-assessment can be found through the Centers for Disease Control and Prevention, PA Department of Health, or Allegheny County Health Department. Upon contacting the School Nurse, you will be asked:
 - If a student or staff member has been diagnosed with COVID-19 in the last 90 days.
 - If a student or staff member is fully vaccinated.
 - If a student or staff member has proof of an antibody test within the past 90 days. ♦
 - If one of these applies, the student/staff member may be excused from quarantine.
- Students and Staff members are encouraged to submit a copy of the vaccination card to their school's nurse.





Reminders for School Readiness

- Students and their parents/guardians and staff are responsible for monitoring symptoms before coming to school/work.
- If students or staff must stay home if they have:
 - a fever of 100 degrees or higher,
 - a cough, shortness of breath,
 - or loss of taste or smell.



Reminders for School Readiness



TIGER STRONG LIVE LONG: KEEPING OUR COMMUNITY HEALTHY & WELL

Keeping our NASD community healthy and well is a shared responsibility between our families and staff. Conducting regular screenings for illness and ongoing self-monitoring can help reduce exposure to various viruses. **Please stay home if you are sick.** If you feel ill while you are at school, please see the school nurse.

When Should I Keep My Child Home From School?

Please keep your child home if they show any of the following symptoms

- Active vomiting or diarrhea.
- Fever (100° or higher), chills, or general body aches.
- Has shown any COVID-19 symptoms including fever, cough, shortness of breath, chills, muscle pain, repeated sneezing with chills, achiness, fatigue, headache, sore throat, and a new loss of taste or smell
- Other symptoms of possible concern: including rash, conjunctivitis (red eyes), swelling of the palms and soles of the feet or skin peeling in those areas, congestion/ runny nose, lymph node enlargement (swollen glands), and sharp abdominal pains.

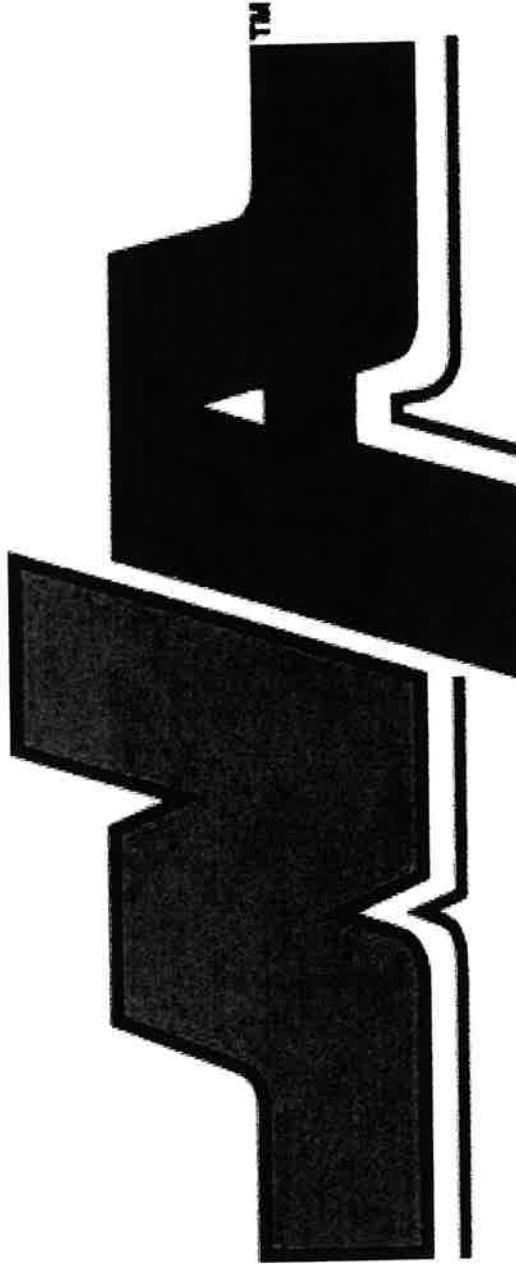
When Can My Child Return To School After Illness?

- 24 hours since the last episode of active vomiting or diarrhea.
- 24 hours being fever free without the use of fever-reducing medication (fevers of 100° or higher).
- 24 hours after starting antibiotics for bacterial causes.
- Doctor's note of clearance for various student-specific medical conditions.
- For a known exposure to COVID-19, contact your school nurse.

NASD Health & Safety Plan

To view the District's entire Health & Safety plan, visit our website www.northallegheny.org

Question and Answers





**Wednesday, August 18, 2021
Special Meeting/Work Session**

Special Meeting/Work Session

A. OPENING ITEMS - Mr. Chomos

Subject 1. Call to Order

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category A. OPENING ITEMS - Mr. Chomos

Type Procedural

Mr. Chomos, President, will call the meeting to order.

Subject 2. Pledge of Allegiance

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category A. OPENING ITEMS - Mr. Chomos

Type Procedural

Please rise and join the Board in reciting the ***Pledge of Allegiance.***

Subject 3. Calendar Review

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category A. OPENING ITEMS - Mr. Chomos

Type Information

AUGUST 18, 2021	SPECIAL MEETING/WORK SESSION
6:00 p.m.	Executive Session for Personnel
7:00 p.m.	• Back to School Plan Update
AUGUST 25, 2021	REGULAR MEETING
6:00 p.m.	Return to School Special ad hoc Committee Meeting
7:00 p.m.	• Readiness of Schools Report
8:30 p.m.	Executive Session
SEPTEMBER 22, 2021	COMBINED MEETING
6:00 p.m.	Student Wellness and Safety Committee Meeting
7:00 p.m.	• Human Resources Update
8:30 p.m.	Executive Session

B. SPEAKERS ON SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Subject 1. Speakers on Special Meeting Voting Items

8/22/2021

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Meeting Aug 18, 2021 - Special Meeting/Work Session

Category B. SPEAKERS ON SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type

At this time, the President will ask for public input on voting items. Speakers are requested to reserve time in advance. Names will be called in the order that calls are received. After everyone who called in advance has spoken, the floor is open to any resident of the District who wishes to speak.

To register to speak, please email the School Board Secretary, Kelly Caldwell at kcaldwell@northallegheny.org. It will be necessary to give a topic and to be a resident of the District. When called upon to speak, individuals will be asked to provide their name and home address.

5 MINUTES**SPEAKERS - VOTING ITEMS**

John Harrison - Various Topics on Section D. - Special Voting Items

2 MINUTES**SPEAKERS - VOTING ITEMS**

There are currently no requests to speak.

C. REPORTS - Dr. Friez**Subject 1. Back to School Plan Update**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category C. REPORTS - Dr. Friez

Type Information

Dr. Friez will provide an update for the Back to School Plan for the 2021-2022 school year.

File Attachments
Back to School Health and Safety Plan August 18 2021_FINAL-4 (002).pdf (1,339 KB)

Subject 2. Marshall Elementary Assistant Principal

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category C. REPORTS - Dr. Friez

Type Action

Recommended Action To approve the appointment of the Assistant Principal at Marshall Elementary School.

The Administration recommends the appointment of Mr. Matthew Heckmann as the Assistant Principal at Marshall Elementary School, at an annual salary of \$90,000, pro-rated based on date of hire. The effective date will be August 19, 2021.

File Attachments
Superintendent's Report - Heckmann.pdf (107 KB)

Subject 3. North Allegheny Senior High School Assistant Principal

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category C. REPORTS - Dr. Friez

8/22/2021

Type

Action

Recommended Action To approve the appointment of the Assistant Principal of North Allegheny Senior High School.

The Administration recommends the appointment of Mr. Thomas Salopek as the Assistant Principal of the North Allegheny Senior High School, at an annual salary of \$97,000, pro-rated based on date of hire. The effective date will be August 19, 2021.

File Attachments

Superintendent's Report - Salopek.pdf (104 KB)

Motion & Voting

To approve the appointment of the Assistant Principal of North Allegheny Senior High School.

Motion by Libby Blackburn, second by Allyson Minton.

Final Resolution: Motion Carried.

Aye: Andrew Chomos, Marcie Crow, Libby Blackburn, Kevin Mahler, Richard McClure, Allyson Minton, Scott Russell, Elizabeth Warner, Shannon Yeakel

D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos**Subject 1. Resignation(s)**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve Resignation(s), as presented.

The Administration recommends approval of the following:

Name	Position, Location	Reason
Amy DiGennaro	Special Education Assistant, BWE Effective 8-16-2021	Resignation
Tami Fox	Special Education Assistant, PES Effective 7-15-2021	Resignation
Lisa Fuhrman	Special Education Assistant, CMS Effective 8-16-2021 12 Years @ NA	Retirement
Debra Gall	Nurse Assistant, BWE, MES, MMS, NASH Effective 8-9-2021	Resignation
Brooke Gresock	Nurse Assistant, MES & MCK Effective 7-19-2021	Resignation
Jennifer Jorden	Assistant Principal Secretary, NAI Effective 7-30-2021	Resignation
Chinique Keyes	Special Education Assistant, NASH Effective 8-13-2021	Resignation
Rhonda Mares	Student Services Assistant, MCK Effective 8-13-2021	Resignation

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Richard Platts	Director of Technology & Innovation, CAO Effective 8-13-2021	Resignation
Stephany Richards	Transportation Supervisor, Transportation Effective 8-13-2021	Resignation
Stacey Sabo	Bus Driver, Transportation Effective 8-6-2021 6 Years @ NA	Retirement
Seth Spangler	Client Services Manager & Network Administrator, CAO Effective 7-30-2021 12 Years @ NA	Retirement
Ashley Stein	3 rd Grade, NACA Effective 8-16-2021	Resignation

Subject**2. Appointment(s)**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve Appointment(s), as presented.

The Administration recommends approval of the following:

Professional

Name	Position, Location	Information
Cheri Alviso	Librarian, MES (for S. Mao) Effective 8-17-2021	Temporary Professional Step 7 Column D \$56,696
Jennifer Babusci	Family & Consumer Science, MMS Effective 8-17-2021	Temporary Professional Step 3 Column A \$49,762
Gina Benca	3 rd Grade, NA Cyber Academy Effective 8-17-2021 to 6-6-2022	Substitute Step 2 Column E \$35,198
Frank Cardone	4th Grade, MES Effective August 17, 2021	Temporary Professional Step 6 Column E \$56,569
Christy Casamento	4 th Grade, HES Effective 8-17-2021	Professional Step 6 Column A \$54,905
Chelsea Conway	3rd Grade, MCK (for A. Stein) Effective 8-17-2021	Temporary Professional Step 3 Column E

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		\$51,081
Annie Deicke	3 rd Grade, PES (for R. Lewis) Effective 8-17-2021 to 6-6-2022	Substitute Step 1 Column E \$34,287
Emily Doran	1 st Grade, PES Effective 8-17-2021	Professional Step 3 Column E \$51,081
Phyllis Edwards	Reading Specialist, FES Effective 8-17-2021	Professional Step 10 Column H \$61,390
Michelle Famoso	Autistic/Life Skills Support Teacher, CMS August 17, 2021	Professional Step 5 Column E \$55,689
Tessa Filiano	Health & Physical Education, HES (for P. Seneca) Effective 8-17-2021	Temporary Professional Step 3 Column E \$51,081
Kylie Fitzgerald	2nd Grade, NACA Effective 8-17-2021 to 6-6-2022	Substitute Step 1 Column A \$33,396
Jennifer Gebhardt	50% Spanish, MMS Effective 8-17-2021	Professional Step 9 Column E \$31,185
Emily Grecco	Social Studies, NASH (for W. Bishop) Effective 8-17-2021 to 6-6-2022	Substitute Step 3 Column E \$35,757
Justin Karolski	50% GOAL, NASH (for J. Harrell) Effective 8-17-2021 to 1-13-2022	Substitute Step 2 Column E \$9,716
Brittney Legler	50% Librarian, FES Effective 8-17-2021	Temporary Professional Step 2 Column A \$25,769
Barbara Lewis	GOAL, MES (for K. Clark) Effective 8-17-2021 to 1-13-2022	Substitute Step 1 Column E \$17,679
Caterina Macri	1 st Grade, IES (for G. Clarke) Effective 8-17-2021	Temporary Professional Step 2 Column E \$50,283
Rachel McGuire*	50% Music, HES/PES (for A. Funk) Effective 8-17-2021 to	Substitute Step 13 Column E

8/22/2021

	6-6-2022	\$21,318
Amy Metzger	Spanish, CMS (for J. Gaus) Effective 8-17-2021 to 1-13-2022	Substitute Step 1 Column E \$17,679
Samantha Migliozi	Reading Specialist, MCK (for B. Anderson) Effective 8-17-2021	Professional Step 4 Column E \$54,821
Katy Ostronic	50% Art, FES Effective 8-17-2021	Professional Step 6 Column E \$29,758
Emily Otteni	1 st Grade, FES Effective 8-17-2021 to 6-6-2022	Substitute Step 3 Column F \$35,965
Karen Peters	50% Health & Physical Education, FES Effective 8-17-2021	Professional Step 13 Column E \$33,172
Caroline Poeggel	50% Music, FES (for R. McGuire) Effective 8-17-2021 to 6-6-2022	Substitute Step 1 Column A \$17,568
Theresa Schall	5 th Grade, FES Effective 8-17-2021	Temporary Professional Step 4 Column B \$52,958
Aimee Scott	1 st Grade, FES Effective 8-17-2021	Temporary Professional Step 2 Column E \$50,283
Tara Suppa	1st Grade, NA Cyber Academy Effective 8-17-2021 to 6-6-2022	Substitute Step 1 Column E \$34,287
John Susi	School Counselor, BWE (for M. Bontempo) Effective 8-17-2021	Temporary Professional Step 2 Column E \$50,283
Kerry Werner**	10% German, MMS Effective 8-17-2021	Professional Step 16 Column E \$10,755

For Information Only

*Ms. McGuire is currently a 50% Music Teacher with the District. The additional 50% long-term substitute assignment will make Ms. McGuire a full contract for the 2021-2022 School Year only.

**Ms. Werner is currently a 60% German Teacher with the District. The additional 10% will make Ms. Werner a 70% contract moving forward.

Professional Substitute(s) to work on an as-needed basis starting at \$100.00/Day:

8/22/2021

Brianna Baumgartner	Rich Clemons	Phyllis Conley
Brittney Diamond	Cara Harbaugh	Rachel Herbstritt
Chelsea Hoffman	Abigail Kunz	Maria Mangieri
Caitlin McFadden	Annie Neurohr	Emily Nicolette-Fantin
Amanda Notto	Maureen Poisker	Diane Thompson
Allison Vaupel	Jolene Yon	

Paraprofessional

Name	Position, Location	Information
Carissa Aleva	Special Education Assistant, NASH (for C. Keyes) Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Tamara Ammon	Special Education Assistant, BWE (for A. DiGennaro) Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
William Bartoli	Special Education Assistant, FES (for N. Hertzog) Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Mallory Fallert	Special Education Assistant, HES Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Sunitha Gunti	Student Services Assistant, FES (for S. Arlow) Effective 8-17-2021	\$17.57/Hour Class III 4 Hours/Day 187 Days/Year
Sarah Marks	Special Education Assistant, MMS Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Tracie Fretwell	Student Services Assistant, FES Effective 8-17-2021	\$17.57/Hour Class III 4 Hours/Day 187 Days/Year
Ashley McDowell	Special Education Assistant, HES Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Jamie Mitchell	Student Services Assistant, FES Effective 8-17-2021	\$20.19/Hour Class III 4 Hours/Day 187 Days/Year
Reggie Murtha	School Counseling Secretary, IMS (for S. Ricci) Effective 8-9-2021	\$19.12/Hour Class I-B 8 Hours/Day 216 Days/Year
Kirsten Nelson	Support Nurse, IES/MES (for B. Gresock) Effective 8-17-2021	\$24.22/Hour Class II-A 7 Hours/Day 190 Days/Year

Marie Perkins	Student Services Assistant, HES (for N. DePietro-Evancho) Effective 8-17-2021	\$17.57/Hour Class III 4 Hours/Day 187 Days/Year
Loni Reinhart	Special Education Assistant, PES (for T. Fox) Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Megan Tinklepaugh	School Counseling Secretary, MMS (for S. Kuhlber) Effective 8-12-2021	\$19.12/Hour Class I-B 8 Hours/Day 216 Days/Year
Graycen Vitale	Special Education Assistant, NASH (for B. Glass) Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year
Molly Zunski	Special Education Assistant, CMS (for L. Fuhrman) Effective 8-17-2021	\$17.73/Hour Class II-C 7 Hours/Day 187 Days/Year

Paraprofessional Substitute(s) to work on an as-needed basis starting at \$12.50/Hour:

Kay Dhingra	Rasha Khalil	Rhonda Mares
Kodie Mateer		

Classified

Name	Position, Location	Rate
Susan Gump	Regular Extra Board Bus Driver, Transportation Effective 8-10-2021	\$19.50/Hour
Neil Kimbler	Regular Extra Board Bus Driver, Transportation Effective 8-10-2021	\$19.50/Hour
Daniel Monteleone	Temporary Custodian, Facilities Effective TBD	\$15.00/Hour
Matthew Nacey	Utility Custodian, Facilities Effective TBD	\$16.81/Hour
Ronald Petrosky	Temporary Custodian, Facilities Effective TBD	\$15.00/Hour
Daniel Scampanio	Regular Extra Board Bus Driver, Transportation Effective 8-10-2021	\$19.50/Hour
Theodore Zobb	Regular Extra Board Bus Driver, Transportation Effective 8-10-2021	\$19.50/Hour

Athletic

Athletic Event Helper to work on an as-needed basis starting at \$21.00/Hour:

8/22/2021

Erika Cooper

* Not a District Employee

Subject**3. Wage/Status Change(s)**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve Wage/Status Change(s), as presented.

The Administration recommends approval of the following:

Confidential

Name	Position, Location	Information
Robert David	Transfer from School Bus Driver, Transportation to Service Delivery Manager, CAO Technology Services (for S. Spangler) Effective 8-19-2021	\$62,000 (Pro-Rated)

Paraprofessional

Name	Position, Location	Information
Suzie Arlow	Transfer from 4-Hour Student Services Assistant, FES to 6-Hour Student Services Assistant, FES (for K. Biederman) Effective 8-17-2021	\$20.19/Hour Class III 6 Hours/Day 187 Days/Year
Kimberly Biederman	Transfer from 6-Hour Student Services Assistant, FES to Assistant Principal's Secretary, FES Effective 8-4-2021	\$21.98/Hour Class I-B 8 Hours/Day 216 Days/Year
Noelle DePietro-Evancho	Transfer from 4-Hour Student Services Assistant, HES to Special Education Assistant, HES Effective 8-17-2021	\$20.38/Hour Class II-C 7 Hours/Day 187 Days/Year
Brittany Glass	Athletic Department Secretary, NASH (for E. Cooper) Effective 8-16-2021	\$21.98/Hour Class I-B 8 Hours/Day 216 Days/Year
Noreen O'Neill	Transfer from Library Secretary (I-C), FES to Library Secretary (I-B), FES Effective 8-17-2021	\$21.98/hour Class I-B 7.5 Hours/Day 190 Days/Year
Sara Ricci	Transfer from School Counseling Secretary, IMS To Computer Instruction Assistant, IMS (for J. Giza)	\$21.90/Hour Class II-B 7 Hours/Day 187 Days/Year

8/22/2021

Effective 8-17-2021

Paraprofessional Employee(s) based on anniversary date of hire:

Name	From	To	Effective Date
Deepika Pandey	\$17.73/Hour	\$20.38/Hour	9-6-2021

Classified

Classified Employee(s) based on anniversary date of hire:

Name	From	To	Effective Date
Curtis Anderson	\$22.87/Hour	\$23.53/Hour	1-1-2021
Curtis Anderson	\$23.53/Hour	\$24.13/Hour	7-1-2021
Vince Heiser	\$19.22/Hour	\$21.78/Hour	8-5-2021
Stephen Pavlick	\$19.22/Hour	\$21.78/Hour	9-16-2021
Stacey Sabo	\$22.87/Hour	\$23.53/Hour	1-1-2021
Stacey Sabo	\$23.53/Hour	\$24.13/Hour	7-1-2021
Gregory Schweizer	\$19.22/Hour	\$21.78/Hour	9-24-2021

Name	Position, Location	Information
Joshua Belfiore	Transfer from Utility Maintenance, Facilities to Regular Custodian, NAI Effective 8-15-2021	\$19.22/Hour
Calvin Gantt	Transfer from Utility Custodian, CMS to Regular Custodian, MCK Effective 8-9-2021	\$19.22/Hour
Glenn Melcher	Transfer from Utility Custodian, NASH to Regular Custodian, NASH Effective 8-9-2021	\$19.22/Hour
Shawn Peterson	Transfer from Temporary Custodian, Facilities to Utility Maintenance, Facilities Effective 8-9-2021	\$16.81/Hour
Timothy Ramsden	Transfer from Temporary Custodian, Facilities to Utility Custodian, Facilities Effective 8-9-2021	\$16.81/Hour
Cory Taylor	Transfer from Temporary Custodian, Facilities to Utility Custodian, Facilities Effective 8-9-2021	\$16.81/Hour

Subject 4. Sabbatical Leave(s) of Absence

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve Sabbatical Leave(s) of Absence, as presented.

The Administration recommends approval of the following:

Employee Number	Position, Location	School Year	Reason
700295	Teacher, MCK	1st Semester 2021-2022	Health Restoration
700998	Teacher, NASH	1st Semester 2021-	Health Restoration

2022

Subject 5. Supplemental Contract(s)

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve Recognition of Supplemental Contract(s), as presented.

The Administration recommends approval of the attached Supplemental Contract Employees to work on an as-needed basis, only if the District makes a determination that this work will and did take place. These appointments will not take effect or may be modified based on a final decision by the District:

File Attachments

Winter Athletic Supplemental List 2021-2022.pdf (105 KB)
 Fall Athletic Supplemental Contracts List 2021-2022.pdf (150 KB)
 Non-Athletic Supplemental List 2021-2022.pdf (214 KB)

Subject 6. Professional Contract(s)

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve Professional Contract(s), as presented.

The Administration recommends approval of the following:

Temporary Professional employees who have taught in the North Allegheny School District for a period of three years, have received a final rating of SATISFACTORY and, meeting all requirements as set forth in Article XI Section 108 of the Pennsylvania Public School Code, are entitled to tenured Professional Employee Contracts.

Kristiana Bohnenstengel	Lauren Bowles	Diana Cimino	Meghan Conley
Margaret Craska	Samantha Dumpe	Rachael Hunt	Melissa Johnston
Brianna Meder	Stacey Mrazek	Victoria Pernell	Jenna Rosenbauer
Michael Schmitt	Samantha Schoenfeld	Haylie Stillwagon	Luke Trocchio
Andrew Whitt	Kristin Yakich		

Subject 7. Contact Tracing Solution

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve the Service Agreement with Healthcare IT Leaders.

The Administration recommends approval to enter into a Service Agreement with Healthcare IT Leaders to provide contact tracing for the North Allegheny School District. For a baseline of 100 contacts per month over 9 months, the cost to the District is \$63,000. If approved, the District plans to utilize APR ESSER funding for these services.

Subject 8. Exact Path/Study Island Software

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action Purchase of Exact Path software in conjunction with Existing Study Island Software.

The Administration recommends the purchase of the Exact Path software in conjunction with existing Study Island software from Edmentum. The software provides: Diagnostics assessment data, benchmark assessments data, and test preparation activities (grades 3-12) for the PSSA and Keystone Exams. North Allegheny School District has been using the Study Island component of this product since the 2007-2008 school year. The term of the Agreement for Exact Path will be three years and will be in effect from July 21, 2021, to August 20, 2024. The term of the Agreement for Study Island will be three years and will be in effect from August 21, 2021, until August 20, 2024. The cost is \$415,285.98 for the software and \$14,750.00 for the professional development for staff.

For Information

Through negotiations with Edmentum, the Administration was able to reduce the original quote by approximately \$100,000.00. This software will support student growth by providing the teachers with important data that will allow them to customize instruction in order to meet the needs of the learners.

Subject 9. VOTE - Approval of Special Meeting Voting Items

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category D. SPECIAL MEETING VOTING ITEMS - Mr. Chomos

Type Action

Recommended Action To approve the Special Meeting voting items.

The Administration recommends approval of the Special Meeting voting items, number 1 through 8.

Motion & Voting

To approve the Special Meeting voting items.

Motion by Allyson Minton, second by Libby Blackburn.

Final Resolution: Motion Carried.

Aye: Andrew Chomos, Marcie Crow, Libby Blackburn, Kevin Mahler, Richard McClure, Allyson Minton, Scott Russell, Elizabeth Warner, Shannon Yeakei

E. CURRICULUM REPORT - Mrs. Minton

Subject 1. Disposal of Textbooks

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category E. CURRICULUM REPORT - Mrs. Minton

Type Action

Recommended Action To approve the disposal of textbooks.

The Administration recommends approval to declare textbooks as unnecessary and unused for the purpose of disposal for the following departments: Middle School English Language Arts.

For Information

Based upon the approved purchases of new textbooks following their departments' Curriculum Reviews and a textbook evaluation process, existing textbooks were evaluated to determine whether they had any potential resale value. The textbooks have a range of copyright dates from 2008-2009.

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Subject 2. YMCA Contract Extension

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category E. CURRICULUM REPORT - Mrs. Minton

Type Action

Recommended Action To approve the Contract Extension with the YMCA.

The original District's contract with the YMCA covered the period between July 1, 2018 and June 30, 2021. The contract includes a provision that states that the contract can be extended for a period of up to two years. This contract will extend the original contract for a period of one year including a daily rental rate, per child, for the extension period of the contract, at a rate increase of .05 cents, for a total of \$1.30 per day for the 2021-2022 school year.

The Contract extension will cover the 2021-2022 school year and will be effective through June 30, 2022. The District and YMCA will use the 2021-2022 school year to enter into discussion for a new contract agreement starting with the 2022-2023 school year.

Subject 3. Title I Non-Public School Agreement

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category E. CURRICULUM REPORT - Mrs. Minton

Type Action

Recommended Action To approve the Title I Non-Public School Agreement between the North Allegheny School District and the Allegheny Intermediate Unit.

The Administration requests approval of the Title I Non-Public School Agreement between North Allegheny School District and the Allegheny Intermediate Unit to provide remedial reading and math instructional services in line with the Title I Program at Aquinas Academy, Blessed Francis Seelos Academy, Holy Cross Academy, Providence Heights Alpha School, and St. Benedict the Moor for a cost of \$15,849.00. The Agreement will commence on August 16, 2021, and terminate on June 30, 2022.

Subject 4. Title IIA Non-Public School Agreement

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category E. CURRICULUM REPORT - Mrs. Minton

Type Action

Recommended Action To approve the Title IIA Non-Public School Agreement between the North Allegheny School District and the Allegheny Intermediate Unit.

The Administration requests approval of the Title IIA Non-Public School Agreement between North Allegheny School District and the Allegheny Intermediate Unit to provide remedial Title IIA non-public school professional development services for Providence Heights Alpha School. The District shall pay the Allegheny Intermediate Unit, \$1,526.19, plus a 3% administrative fee of \$47.20, for a total cost of services of \$1,573.39. The Agreement will commence on August 17, 2021, and terminate on September 30, 2022.

Subject 5. Third Party Letter of Agreement for Non-Public Title I Services

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category E. CURRICULUM REPORT - Mrs. Minton

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Type

Action

Recommended Action To approve the Third-Party Agreement for Non-Public Title I Services between the North Allegheny School District and the Midwestern Intermediate Unit IV.

The Administration requests approval of the Third-Party Letter of Agreement for Non-Public Title I Services between North Allegheny School District and the Midwestern Intermediate Unit IV to provide remedial instructional services in Title I Reading and Math at St. Kilian Parish School (Diocese of Pittsburgh). The District will pay \$2,535.36, plus a 4% administrative fee of \$105.64, for a total cost of \$2,641.00. The Agreement will commence on August 1, 2021 and terminate on June 30, 2022.

Subject**6. Information Only - Student Teacher Request**

Meeting

Aug 18, 2021 - Special Meeting/Work Session

Category

E. CURRICULUM REPORT - Mrs. Minton

Type

Information

The following student has requested a student teaching assignment in the North Allegheny School District during the 2021-2022 school year.

<u>Student Teacher</u>	<u>Dates</u>	<u>Supervising Teacher(s)</u>
Precious Grieco Western Governors University	9-7-2021 to 12-3-2021	Courtney Lope Hosack Elementary School Kindergarten

Subject**7. Information Only - Foreign Exchange Student**

Meeting

Aug 18, 2021 - Special Meeting/Work Session

Category

E. CURRICULUM REPORT - Mrs. Minton

Type

Information

The following Foreign Exchange Student will be attending North Allegheny Senior High School for the 2021-2022 school year and residing with the host family listed below who are residents of the North Allegheny School District.

Letizia Meani, from Italy, Grade 12, will be residing with Jeff and Gretchen Jerzerc, Wexford, PA 15090.

F. FINANCE REPORT - Mr. Russell**Subject****1. Accounts Payable List**

Meeting

Aug 18, 2021 - Special Meeting/Work Session

Category

F. FINANCE REPORT - Mr. Russell

Type

Action

Recommended Action To approve the Accounts Payable Lists.

The Administration recommends approval of the following accounts payable lists:

Supplemental Accounts Payable list dated July 2021, in the amount of \$12,244,529.32.

Accounts Payable list dated August 2021, in the amount of \$179,090.71.

Supplemental Capital Reserve Fund Accounts Payable list dated July 2021, in the amount of \$0.

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Supplemental Technology Fund Accounts Payable list dated July 2021, in the amount of \$3,413.00.

Supplemental BW/Marshall Construction Fund Accounts Payable list dated July 2021, in the amount of \$8,250.00.

Supplemental 2019 Bond Construction Fund Accounts Payable list dated July 2021, in amount of \$226,694.61.

Supplemental Cafeteria Fund Accounts Payable list dated July 2021, in the amount of \$4,384.84.

Supplemental Grant Fund Accounts Payable list dated July 2021, in the amount of \$0.

Subject 2. Accounts Payable List - June 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Action

Recommended Action To approve the Accounts Payable List.

The Administration recommends approval of the following accounts payable lists:

Supplemental Accounts Payable list dated June 2021, in the amount of \$19,885,306.01.

Accounts Payable list dated July 2021, in the amount of \$0.

Supplemental Capital Reserve Fund Accounts Payable list dated June 2021, in the amount of \$0.

Supplemental Technology Fund Accounts Payable list dated June 2021, in the amount of \$9,135.50.

Supplemental BW/Marshall Construction Fund Accounts Payable list dated June 2021, in the amount of \$0.

Supplemental 2019 Bond Construction Fund Accounts Payable list dated June 2021, in amount of \$138,254.91.

Supplemental Cafeteria Fund Accounts Payable list dated June 2021, in the amount of \$519,796.39.

Supplemental Grant Fund Accounts Payable list dated June 2021, in the amount of \$2,320.00.

Subject 3. Student Expenditures for May 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Action

Recommended Action To approve the Student Activities Expenditures.

The Administration recommends approval of the Student Activities Expenditures for May 2021.

A.	Carson Middle	\$ 2,398.35
B.	Ingomar Middle	\$ 1,709.73
C.	Marshall Middle	\$ 237.63
D.	NA Intermediate	\$ 1,157.65
E.	NA Senior High	\$ 25,450.53
F.	NA Cyber Academy	\$ 0.00
F.	NA Athletic	\$ 13,709.25

File Attachments

STUDENT ACTIVITIES MAY FOR AUGUST BOARD REPORT 2021.pdf (45 KB)

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Subject 4. Student Expenditures for June 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Action

Recommended Action To approve the Student Activities Expenditures

The Administration recommends approval of the Student Activities Expenditures for June 2021.

A.	Carson Middle	\$ 4,224.15
B.	Ingomar Middle	\$ 1,589.00
C.	Marshall Middle	\$ 1,955.70
D.	NA Intermediate	\$ 10,600.79
E.	NA Senior High	\$ 234,226.47
F.	NA Cyber Academy	\$ 80.00
F.	NA Athletic	\$ 59,309.82

File Attachments
STUDENT ACTIVITIES JUNE FOR AUGUST BOARD REPORT 2021.pdf (46 KB)

Subject 5. Certification of Unpaid 2020 Taxes

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Action

Recommended Action To acknowledge receipt of the lists of unpaid taxes as submitted

The Administration recommends acknowledgment of receipt of the lists of unpaid taxes as submitted, and further, the Board charges Maiello Brungo & Maiello, LLP with the responsibility for delinquent tax collection after June 30, 2021.

Background Information

The tax collectors of Bradford Woods, Franklin Park Borough, Marshall Township, and Maiello Brungo & Maiello, LLP, responsible for collection of delinquent real estate and per capita taxes through June 30, 2021, have submitted lists of unpaid 2020 taxes for exoneration from collection. A summary containing information of these unpaid taxes is provided for Board action.

*Also provided below is a comparison to the unpaid 2019 taxes.

		<u>2020</u>		<u>2019*</u>
Bradford Woods Borough				
Real Estate	18 Items	\$ 54,742.81	13 Items	\$ 40,164.34
Per Capita	20 Items	<u>200.00</u>	18 Items	<u>180.00</u>
Total	38 Items	\$ 54,942.81	31 Items	\$ 40,344.34
Franklin Park Borough				
Real Estate	63 Items	\$ 103,803.22	83 Items	\$ 153,696.64
Per Capita	100 Items	<u>1,000.00</u>	167 Items	<u>1,670.00</u>
Total	163 Items	\$ 104,803.22	250 Items	\$ 155,366.64
Marshall Township				
Real Estate	32 Items	\$ 194,653.92	71 Items	\$ 363,095.37
Per Capita	267 Items	<u>2,670.00</u>	303 Items	<u>3,030.00</u>

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	Total	299 Items	\$ 197,323.92	374 Items	\$ 366,125.37
Town of McCandless					
	Real Estate	234 Items	\$ 233,058.57	256 Items	\$ 330,468.37
	Per Capita	117 Items	<u>1,173.33</u>	106 Items	<u>1,060.00</u>
	Total	351 Items	\$ 234,231.90	362 Items	\$ 331,528.37
Total of all Municipalities		851 Items	\$ 591,301.85	1,017 Items	\$ 893,364.72

Subject 6. Collateral Securities Reports

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Action

Recommended Action To approve the collateral securities reports for the quarter ended June 30, 2021.

The Administration recommends approval of the collateral securities reports submitted by the depositories for the quarter ended June 30, 2021, which are included with this report.

File Attachments

FNB Collateral report 063021.pdf (331 KB)

PNC Collateral report 063021.pdf (148 KB)

Subject 7. Tuition Rates for 2021-2022

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Action

Recommended Action To approve the tuition rates for the year 2021-2022.

The Administration recommends approval of the tuition rates from the PA Department of Education for the year 2021-2022.

The tuition rates are as follows:

	<u>2021-2022</u>	<u>2020-2021</u>
Kindergarten	\$ 6,775	\$ 6,560
Elementary	\$ 13,550	\$ 13,119
Secondary	\$ 14,279	\$ 13,734

Subject 8. Information Only - 2021-2022 July Forecast

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type

File Attachments

FY 2021-22 BOARD REPORT FORECAST - JULY 2021.pdf (52 KB)

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Subject 9. Information Only - Ending Cash Balances for June 30, 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Information

File Attachments

Cash Report for June for July BF.pdf (74 KB)

Subject 10. Information Only - Ending Cash Balances for July 31, 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category F. FINANCE REPORT - Mr. Russell

Type Information

File Attachments

Cash Report for July for August BF.pdf (74 KB)

G. HUMAN RESOURCES REPORT - Mrs. Crow**Subject 1. Leave(s) of Absence**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Leave(s) of Absence, as presented.

The Administration recommends approval of the following unpaid leave:

Employee Number	Position, Location	From	To
703064	Utility Custodian, Facilities	5-16-2021	5-23-2021
704645	Teacher, MES	8-17-2021	1-13-2022
705001	Dispatcher, Transportation	8-5-2021	8-20-2021

Subject 2. Child Rearing Leave(s) of Absence

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Child Rearing Leave(s) of Absence, as presented.

The Administration recommends approval of the following unpaid leave:

Employee Number	Position, Location	From	To
700650	Teacher, NASH	10-13-2021	10-26-2021
704021	Teacher, FES	10-11-2021	12-14-2021
704520	Teacher, IES	9-29-2021	11-24-2021

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705035	Teacher, MES	9-29-2021	1-13-2022
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Subject 3. Special Sick Leave(s)

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Special Sick Leave(s), as presented.

The Administration recommends approval of the following for the Special Sick Leave policy:

Employee Number	From	To
704772	6-4-2021 p.m.	6-10-2021 a.m.

Subject 4. Recognition for Additional Education

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Recognition for Additional Education, as presented.

The Administration recommends approval of the following Education Incentive Award(s) to the employee(s) who have successfully completed an approved Master's Program or qualifying credits above the Master's Degree:

\$1,500 Award – Completion of 10 credits beyond Master's Degree
Courtney Geary
\$1,500 Award – Completion of 30 credits beyond Master's Degree
William Bishop
John Harrell
Joyce Harrell
\$1,500 Award – Completion of 40 credits beyond Master's Degree
Janelen Lombardi
Ashley Rusnic

Note: All Education Incentive Awards are one-time payments and are not to be added to base salary.

In accordance with Appendix A, Section IV, Recognition for Additional Education, of the Collective Bargaining Agreement between the North Allegheny School District and the North Allegheny Federation of Teachers, Local 2097, dated July 1, 2020 to June 30, 2026, the Administration recommends approval of the following annual stipend.

\$500 Stipend – Doctoral Degree
Donald Accamando, Ph.D.
Jordan Cotten, Ph.D.
Stephanie Easley, Ph.D.
Melissa Gallo, Ph.D.
Lee Hedderman, Ph.D.
Marguerite Haldin, Ph.D.
Kelly Mankovich, Ph.D.
Matthew Mascari, Ph.D.
Rachael Morrow, Ph.D.
Jodi Porter, Ph.D.
Sarah Switalski, Ph.D.

Subject 5. Tuition Reimbursement(s) for Additional Education

8/22/2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Tuition Reimbursement(s) for Additional Education, as presented.

The Administration recommends approval of the following, in accordance with the current Administrative Compensation and Performance Plan for:

Name	Amount
Jaime Eimiller, BWE	\$5,544.00
Caitlin Ewing, NAI	\$1,535.00
Jenna Fraser, NAI	\$2,772.00

Subject 6. Honoraria/Club Activities

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Honoraria/Club Activities, as presented.

The Administration recommends approval of the following:

Name	Honoraria Project	Project Period	Amount	
Janet Pisani, PES	Federal Programs - Title I, II and IV	7-1-2021 to 6-30-2022	\$4,000.00	

Subject 7. Contract of Service(s)

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category G. HUMAN RESOURCES REPORT - Mrs. Crow

Type Action

Recommended Action To approve Contract of Service(s), as presented.

Insurance Renewals

University of Pittsburgh Medical Center (UPMC)

The Administration recommends the approval of a one-year contract with University of Pittsburgh Medical Center (UPMC) to provide all medical and prescription drug health care plans to District employees, eligible retirees, and COBRA participants effective January 1, 2022. There will be a 5.5% increase on the 2022 premium cost when compared to the 2021 current premium amount. The contract also includes member access to the Employee Assistance Program (EAP) and support for the District's wellness initiatives through Tiger Strong Live Long.

The Administration recommends the approval of a renewed contract with University of Pittsburgh Medical Center (UPMC) to provide health care and dependent care flexible spending account options to District employees. The contract will reflect a premium rate hold with continued service at the current 2021 rates.

For Information

The District will enter year three of a four-year agreement with University of Pittsburgh Medical Center (UPMC) to provide all vision plans to District employees, eligible retirees, and COBRA participants effective January 1, 2022 under a current rate hold.

United Concordia (UCCI)

8/22/2021

The Administration recommends the approval of a contract extension with United Concordia (UCCI) to provide all dental plans to District employees, eligible retirees, and COBRA participants effective January 1, 2022. The contract will reflect a premium rate hold with continued service at the current 2021 rates.

H. PROPERTY AND SUPPLIES REPORT - Mrs. Yeakel

Subject 1. Renewal to Fee Waiver List

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category H. PROPERTY AND SUPPLIES REPORT - Mrs. Yeakel

Type Action

Recommended Action To approve a Fee Waiver Renewal for Ingomar Franklin Park Little League.

The Administration recommends granting a 100% waiver of rental fees from August 29, 2021, to August 28, 2026, or sooner, if the Board Policy/Administrative Procedures are changed in the future, for Ingomar Franklin Park Little League, with the requirement that they submit their roster annually to verify their compliance with residency requirements for the continuation of the 100% waiver of rental fees. They have submitted all the documentation to utilize North Allegheny School District facilities pursuant to Administrative Procedures.

For Information

The above-named is a non-profit organization that has provided the majority of the documentation for a fee waiver. The organization consists of 97% North Allegheny residents, and they are eligible for a 100% fee waiver for use of North Allegheny School District facilities.

Subject 2. Renewal to Fee Waiver List

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category H. PROPERTY AND SUPPLIES REPORT - Mrs. Yeakel

Type Action

Recommended Action To approve a Fee Waiver Renewal for the Special Olympics/Olympic Flames.

The Administration recommends granting a 50% waiver of rental fees from August 29, 2021, to August 28, 2026, or sooner, if the Board Policy/Administrative Procedures are changed in the future, for Special Olympics/Olympic Flames, with the requirement that they submit their roster annually to verify their compliance with residency requirements for the continuation of the 50% waiver of rental fees. They have submitted all the documentation to utilize North Allegheny School District facilities pursuant to Administrative Procedures.

For Information

The above-named is a non-profit organization that has provided the majority of the documentation for a fee waiver. The organization consists of 30% North Allegheny residents, and they are eligible for a 50% fee waiver for use of North Allegheny School District facilities.

Subject 3. Construction Change Orders

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category H. PROPERTY AND SUPPLIES REPORT - Mrs. Yeakel

Type Action

Recommended Action To approve construction change orders.

The Administration recommends approval of the following change orders to the construction contracts for the following:

NASH Softball Field Concession Stand, Restrooms, Press Box Building

8/22/2021

Number	Description	Contractor	Amount
PC-01	Additional excavation, labor, and material required for the exterior sanitary line connection.	Reno Bros., Inc.	\$2,871.00
PC-02	Credit adjustment to eliminate exterior winterization drain and install interior winterization drain valves.	Reno Bros., Inc.	(\$845.00)

Hosack Elementary School Multipurpose Room VCT Floor Replacement

Number	Description	Contractor	Amount
CO-01	Slab moisture mitigation including slab grinding, application of two coats of sealer, and tile installation using hard-set elastomeric adhesive.	Nicos Contracting	\$16,250.00

For Information

The complete change order documents will be attached to the Official Minutes.

Subject 4. Information Only - Drum Set Donation

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category H. PROPERTY AND SUPPLIES REPORT - Mrs. Yeakel

Type Information

The Administration recommends acceptance of a drum set donation from Carol Wilhite. The value of the set is \$420. The drum set will be utilized at Ingomar Elementary School.

I. STUDENT SERVICES REPORT - Mrs. Warner**Subject 1. Early Admission of Qualifying 2021-2022 Students**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve four students who qualified for Early Admission to school.

The Administration recommends approval of the following five students, after evaluation, that have met the North Allegheny School District criteria for early entrance to Kindergarten and First Grade for the 2021-2022 school year. The students' enrollment will be at the following buildings:

2021-2022 Grade	Student Date of Birth	Building
1	9/2/2015	FES
KG	9/30/2016	MES
KG	9/12/2016	MES
KG	9/14/2016	MES
KG	9/28/2016	HES

There were 13 requests for early admission to kindergarten and 3 requests for first grade for a total of 16 early admission requests.

8/22/2021

Subject 2. Waterfront Learning Contract

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the 2021-2022 Waterfront Learning Services Contract.

The Administration recommends approval of the 2021-2022 Waterfront Learning Services Contract between Allegheny Intermediate Unit (d/b/a Waterfront Learning Services) and North Allegheny School District. Waterfront Learning Services provides a menu of flexible cyber education program options. The contract shall commence on the date of both parties' signature and continue until June 30, 2022.

Subject 3. UPMC Project SEARCH Transition Services Agreement

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the UPMC Project SEARCH Transition Services Agreement with Goodwill of Southwestern Pennsylvania.

The Administration recommends approval of the Transition Services Agreement with Goodwill of Southwestern Pennsylvania for one NASH student with disabilities (#20-21/GWTW11) to attend Project SEARCH for the 2021-2022 school year. The cost of the program is \$20,763.00 per student. Services will be available starting no earlier than September 7, 2021, and ending June 3, 2022.

Subject 4. Bradley Center Agreement for Educational Services

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the 2021-2022 Agreement for Educational Services with The Bradley Center.

The Administration recommends the approval of the 2021-2022 Agreement for Education Services with The Bradley Center. The Bradley Center shall provide Educational Services in accordance with each enrolled student's IEP, 504 Service Plan, or the District's requirements. The cost for services is \$176.75 per day, per enrolled child. Additional costs may be incurred for any related and ancillary services provided.

Subject 5. IEPWriter.com Service Agreement

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Service Agreement between North Allegheny School District and IEPWriter.com.

The Administration recommends renewal of the Service Agreement with IEPWriter.com. This Agreement is for unlimited usage for creation, management, and storage of Chapter 14 form/format documents, Chapter 15 form/format documents, Chapter 16 form/format documents, the Student Information Bridge Subscription, and the special education census information referred to as PENN Data Child Accounting. The total cost for the subscription term beginning September 1, 2021, and ending August 31, 2022, is \$26,973.00.

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The IEPWriter.com subscription fees are as follows:

- Special Education subscription fee is \$10,910.00, which is based on a student count of 1,056
- Gifted Support subscription fee is \$7,708.00, which is based on a student count of 746
- Child Count Web Module renewal is \$3,503.00
- 504 Module renewal is \$4,452.00, which is based on a student count of 354
- SIS Bridge renewal is \$400.00

Access funds will be utilized to pay for the Special Education, 504 Module, Student Information System (SIS), and the Child Count Web Module for a total of \$19,265.00. The Gifted Support module will be paid through general funds.

Subject 6. University School College Preparatory Enrollment Contract

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Enrollment Contract between North Allegheny School District and The University School College Preparatory.

The Administration recommends the acceptance of the Enrollment Contract between North Allegheny School District and The University School College Preparatory for one NASD student (#20-21/US101). The contract is for the 2021-2022 School Year. Tuition will be \$26,000 for the year billed in two equal payments of \$13,000.00 each.

Subject 7. Connection Counseling & Consultation Agreement

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Agreement between North Allegheny and Connection Counseling & Consultation, Inc. (CIC).

The Administration recommends the approval of the Agreement between NASD and Connection Counseling & Consultation, Inc. (CIC) to provide paraprofessional services to one high school student during Band Camp. These services are designed to support this student's transition plan as the student is returning to a District building from an Outside Placement. The cost for this specialized paraprofessional is \$12.50 per hour.

Subject 8. Glade Run Education Agreement

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Day Student Education Agreement with Glade Run Lutheran Services dba St. Stephens Lutheran Academy and St. Stephens Academy Utica.

The Administration recommends the approval of the Day Student Education Agreement between NASD and Glade Run Lutheran Services dba St. Stephens Lutheran Academy and St. Stephens Academy Utica. Educational instruction may include any of St. Stephens educational offerings: 1) Regular Education; 2) Emotional Support Services; 3) Enhanced Education Services; 4) Life Skills Education Services; 5) Autism Education Services; 6) Extended School Year; and/or 7) Kindergarten. Pricing is dependent upon the services utilized. The Agreement will begin on July 1, 2021, and run through the 2021-2022 school year.

Subject 9. Pressley Ridge Day School Autism Addendum #4

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Pressley Ridge Day School Autism Addendum #4 to the Contractual Agreement for the 2021-2022 School Year and ESY 2022.

The Administration recommends approval of the Pressley Ridge Day School Autism Addendum #4 Contractual Agreement for School Year Services and Extended School Year Services 2022 provided by Pressley Ridge. This Addendum, effective July 1, 2021, extends and keeps the original contract entered on July 1, 2017. Pressley Ridge will invoice North Allegheny School District on a semester basis rate, per student, of \$25,000. Students who require an additional one to one aide will be an additional \$19,000 per semester. Pressley Ridge will invoice North Allegheny for all students enrolled during Extended School Year 2022 at a summer rate, per student, of \$2,450.00. Pressley Ridge will invoice North Allegheny for all students requiring aide services at a per student rate of \$3,800.00.

Subject 10. Memorandum of Understanding With PACC

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Memorandum of Understanding with PA Connecting Communities.

The Administration recommends the approval of the Memorandum of Understanding with PA Connecting Communities (PACC) for two special education high school students (#19/20/106GWT and #21-22/100PACC) to aid in finding appropriate community based opportunities. The rate is \$75.00 per hour for the 2021-2022 School Year. Transportation is included as well as all activities sponsored by PACC. Non PACC activities may be subject to an additional cost not covered by this contract. The fee will allow PACC to provide a staff member(s) to directly instruct the student on all areas addressed by PACC within the IEP and student's team including family/caregiver. Services will be provided both at the PACC facility and in the community.

Subject 11. Pressley Ridge Day School For Autism-ESY Agreement 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Action

Recommended Action To approve the Contractual Agreement between Pressley Ridge Day School Autism for Extended School Year Services 2021.

The Administration recommends the approval of the Agreement for services provided by Pressley Ridge Day School For Autism for Extended School Year (ESY) services from June 23, 2021 through July 28, 2021. This Agreement is for any student that was not enrolled with Pressley Ridge at the end of the 2020-2021 School Year but attended ESY at Pressley Ridge. Pressley Ridge will invoice for students enrolled at a summer rate of \$4,800. Additionally, Pressley Ridge will invoice for all students requiring aide services at a per student rate of \$3,700.

Subject 12. Information Only - Watson Institute Letter 2021

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Information

The following Agreement lists five students (20-21/101WEC, 18-19/124WEC, 18-19/121WEC, 18-19/112WEC, 19-20/WEC124) that will be enrolled in Watson Institute's Education Center - Sewickley for the 2021-2022 School Year. The annual cost per student for the school year is \$50,569.

8/22/2021

Subject 13. Information Only - School Nurse Practicum Request

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Information

The North Allegheny School District will provide practicum experience for a School Nurse student, Isabella Tomko, during the fall of the 2021-2022 school year. The student attends Eastern University.

Subject 14. Information Only - Speech and Language Pathologist Student Teacher

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category I. STUDENT SERVICES REPORT - Mrs. Warner

Type Information

The following Speech and Language Pathologist student has requested a student teaching position in the North Allegheny School District from August 23, 2021 until December 7, 2021:

Student	University/College	Supervisor(s)
Emily Adams	Duquesne University	Jenna Rosenbauer

J. SUPERINTENDENT'S REPORT - Dr. Friez**Subject 1. School Board Committee Meeting Dates - 2021-2022**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category J. SUPERINTENDENT'S REPORT - Dr. Friez

Type Action

Recommended Action To approve the School Board Committee Meeting Dates for the 2021-2022 school year.

The Superintendent respectfully recommends that the Board adopt the following calendar of School Board Committee meetings, commencing at 6:00 p.m. All meetings are scheduled to take place in the Board Room of the Central Administrative Offices. Upon approval, all dates will be advertised in a local newspaper.

2021

- August 18, 2021 - No Committee Meeting
- August 25, 2021 - Return to School Special ad-hoc Committee Meeting
- September 22, 2021 - Student Wellness and Safety Committee Meeting
- October 20, 2021 - No Committee Meeting
- October 27, 2021 - Buildings and Grounds Committee Meeting
- November 17, 2021 - Budget and Finance Committee Meeting
- December 1, 2021 - No Committee Meeting - Reorganization Meeting
- December 8, 2021 - Budget and Finance Committee Meeting

2022

- January 19, 2022 - Education Committee Meeting
- January 26, 2022 - Student Wellness and Safety Committee Meeting
- February 23, 2022 - Buildings and Grounds Committee Meeting
- March 16, 2022 - Education Committee Meeting
- March 23, 2022 - NA Empower: The Diversity, Equity, & Inclusion Taskforce Presentation
- April 20, 2022 - Budget and Finance Committee Meeting
- April 27, 2022 - Buildings and Grounds Committee Meeting
- May 4, 2022 - Student Wellness and Safety Committee Meeting
- May 11, 2022 - Budget and Finance Committee Meeting
- June 8, 2022 - Education Committee Meeting
- June 15, 2022 - Budget and Finance Committee Meeting

8/22/2021

Subject 2. Professional Seminars/Professional Development Requests

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category J. SUPERINTENDENT'S REPORT - Dr. Friez

Type Action

Recommended Action To approve the professional seminars/professional development requests.

The Superintendent respectfully requests that the Board honor the following professional seminars/professional development requests:

Name	Conference	Date	Amount
David Dietrich (FAC)	Certified Pool & Spa Operator Certification and Pesticide Applicator Sponsor: B & R Pools and Swim Shop Pittsburgh, PA	9-20-21 to 9-21-21	\$ 845.00
Elizabeth Warner (SB)	PSBA 2021 School Leadership Conference Pocono Manor, PA Sponsor: PSBA	9-27 to 9-29-2021	\$1,290.52

K. SPEAKERS - NON-VOTING ITEMS - Mr. Chomos**Subject 1. Speakers - Any Topic**

Meeting Aug 18, 2021 - Special Meeting/Work Session

Category K. SPEAKERS - NON-VOTING ITEMS - Mr. Chomos

Type Information

At this time, the President will ask for public input on non-voting items. Speakers are requested to reserve time in advance. Names will be called in the order that calls are received. After everyone who called in advance has spoken, the floor is open to any resident of the District who wishes to speak, for up to two minutes.

To register to speak, please email the School Board Secretary, Kelly Caldwell at kcaldwell@northallegheny.org. It will be necessary to give a topic and to be a resident of the District. When called upon to speak, individuals will be asked to provide their name and home address.

3 MINUTES**SPEAKERS - VOTING ITEMS**

1. Mary Kirifides Hart - NA Masking Guidance
2. Catia Kossovsky - NA Masking Guidance
3. Nora DiNuzzo - NA Masking Guidance
4. Bill Palmer - NA Masking Guidance
5. Abigail Schlesinger - NA Masking
6. Katelyn Staub-Zamperini - NA Masking Guidance
7. Sarah Hall - NA Masking Guidance
8. Darren Hall - NA Masking Guidance
9. Melinda Wedde - NA Masking Guidance
10. Brittney Pagone - NA Masking Guidance
11. Tara Lindsay - NA Masking Guidance
12. Jason Nork - NA Masking Guidance
13. Jonathan Harbuck - NA Masking Guidance
14. Jaime Dean - NA Masking Guidance
15. Jennifer Slane Porco - NA Masking Guidance
16. Mark Ferrelli - NA Masking Guidance

8/22/2021

17. Samantha Podnar - Learning Loss
18. Michelle Scott - No Head Coach for Speech and Debate
19. David Smith - NA Masking Guidance
20. Joe Birch - NA Masking Guidance
21. Julie Bangay - NA Masking Guidance
22. Erika Schaltenbrand - NA Masking Guidance
23. John Harrison - NA Masking Guidance/School Safety
24. Siao Mei Shick - NA Masking Guidance

2 MINUTES**SPEAKERS - VOTING ITEMS**

1. Vienna Zamperini - NA Masking Guidance
2. Lynne Williams - NA Masking Guidance
3. Katie Leslie - NA Masking Guidance
4. Alice Beckett-Rumberger - Return to School Plan
5. Kim Stover - NA Masking Guidance
6. Heather Danely - NA Masking Guidance
7. Karyn Coy - NA Masking Guidance

***Communication with the School Board is very important.
The Board encourages you to attend meetings and be informed.
Please do not hesitate to contact us with your ideas and suggestions.***

L. CLOSING ITEMS - Mr. Chomos

Subject	1. Announcements/Reminders
Meeting	Aug 18, 2021 - Special Meeting/Work Session
Category	L. CLOSING ITEMS - Mr. Chomos
Type	Information

The President will announce any news of interest and remind the Board and the public if there is an Executive Session and the topic.

Subject	2. Adjournment
Meeting	Aug 18, 2021 - Special Meeting/Work Session
Category	L. CLOSING ITEMS - Mr. Chomos
Type	

With no further business, the President will adjourn the meeting.

August 19 Update to North Allegheny Health & Safety Plan - para 79 - last exhibit

1 message

From: North Allegheny School District <noreply@northallegheny.org>

Sent: Thursday, August 19, 2021 2:15 AM

Subject: Update to North Allegheny Health & Safety Plan



Update to North Allegheny Health & Safety Plan

During the North Allegheny School Board of Directors Special Meeting/Work Session on Wednesday, August 18, the Board motioned to amend the 2021-2022 Back to School Health & Safety Plan.

The Board of Directors voted 6-3 to make masks optional but strongly recommended, for students, staff, and visitors through September 22, 2021. This vote will be reviewed again at the September 22, 2021 Board of Directors meeting.

Face Coverings

- Face coverings for staff, students, and visitors are optional but strongly recommended.
- Face coverings are still required by the Federal government on public transportation, which includes NASD-provided transportation and buses.

The District continues to strongly encourage all students, staff, and visitors to wear masks indoors when inside any NASD building.

The District will post an updated Back to School Plan on the website and email parents/guardians by 5:00 p.m. on Thursday, August 19.

Stay connected with NA on social media!

#NASDlearns



North Allegheny School District | 200 Hillvue Lane, Pittsburgh, PA 15237

[Unsubscribe nataliemetropulos@hotmail.com](mailto:nataliemetropulos@hotmail.com)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by noreply@northallegheny.org powered by



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Affidavit of Anna Marie White, MD

1. I, Anna Marie White, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a Fellow of the American College of Physicians (FACP). I am a Fellow of the American Academy of Pediatrics, (FAAP). Also, I practice Internal Medicine-Pediatrics, and am a Core Faculty Clinical Assistant Professor of Medicine, University of Pittsburgh Medical Center (UPMC).
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~28% compared to last week. We are now at "high" transmission rate (which is the highest rate possible on the scale). New hospital admissions are up 45%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscIlmODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.
6. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with

COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of today, 20% of people with COVID in Allegheny County (58/279) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")

7. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
8. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
9. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

- Allegheny Valley
- Avonworth
- Carlynton
- East Allegheny
- Fox Chapel
- Greensburg Salem
- Hampton
- Keystone Oaks
- Moon
- Mt. Lebanon
- Northgate

- Pittsburgh Public Schools
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
- Carnegie Mellon University

Additionally many businesses are mandating universal masking as well.

10. The North Allegheny School Board has made mask wearing “optional.” This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to possible physical violence between students, as well as emotional ramifications caused by fear of being ostracized through peer pressure.
11. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
12. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is optional, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.

Masking has been determined to be safe. In the Article **Mask Mythbusters: Common Questions about Kids & Face Masks** authored by: Kimberly M. Dickinson, MD, MPH & Theresa W. Guilbert, MD, MS, FAAP and published in [Healthychildren.org](https://www.healthychildren.org), from the American Academy of Pediatrics, the following points are made about the safety of mask-wearing:

Here are some common questions about kids and masks, along with evidence-based information that will put your mind at ease:

Can wearing a mask make it harder for my child to breathe?

There have been concerns that face masks can reduce oxygen intake, and can lead to low blood oxygen levels, known as hypoxemia. However, masks are made from breathable materials that will not block the oxygen your child needs. Masks will not affect your child's ability to focus or learn in school. The vast majority of children age 2 or older can safely wear face masks for extended periods of time, such as the school day or at child care. This includes children with many medical conditions.

Can masks interfere with a child's lung development?

No, wearing a face mask will not affect your child's lungs from developing normally. This is because oxygen flows through and around the mask, while blocking the spray of spit and respiratory droplets that may contain the virus. Keeping your child's lungs healthy is important, which includes preventing infections like COVID-19.

Do masks trap the carbon dioxide that we normally breathe out?

No. There have been false reports that face masks can lead to carbon dioxide poisoning (known as hypercapnia) from re-breathing the air we normally breathe out. But this is not true. Carbon dioxide molecules are very tiny, even smaller than respiratory droplets. They cannot be trapped by breathable materials like cloth or disposable masks. In fact, surgeons wear tight fitting masks all day as part of their jobs, without any harm.

However, children under 2 years of age should not wear masks since they may not be able to remove them without help. Children with severe breathing problems or cognitive impairments may also have a hard time tolerating a face mask and extra precautions may be needed.

Can masks lead to a weaker immune system by putting the body under stress?

No. Wearing a face mask does not weaken your immune system or increase your chances of getting sick if exposed to the COVID-19 virus. Wearing a mask, even if you do not have symptoms of COVID-19, helps prevent the virus from spreading.

How do masks prevent the spread of COVID-19?

When worn correctly, face masks create a barrier that reduces the spray of a person's spit and respiratory droplets. These droplets play a key role in the spread of COVID-19 because they can carry SARS-CoV-2, the virus that causes COVID-19. Masks also can protect you from others who may have coronavirus but are not showing symptoms and who could come within 6 feet of you, which is how far respiratory droplets can travel when people sneeze or cough or raise their voices.

13. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees. The failure of the Board to mandate masks could result in serious illness or death of children, teachers and/or staff.

14. Further, Affiant sayeth not.

Dated: August 20, 2021

By Anna Marie White, MD
Anna Marie White, MD, FACP, FAAP,
Clinical Assistant Professor of Medicine, University
of Pittsburgh School of Medicine, Internal Medicine
& Pediatrics Core Faculty, UPMC

Affidavit of Lynne Williams, MD PhD

1. I, Lynne Williams, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a Board-Certified Internal Medicine and Pediatric physician practicing in the Pittsburgh area and an Affiliated Faculty member at the University of Pittsburgh School of Medicine.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. ()
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See ()
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. See (). COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.
6. Furthermore, a "wait and see how bad it gets" before making masks a requirement in North Allegheny Schools is not an appropriate public health measure. For example, in Dallas (a much larger metropolitan area than Pittsburgh, with much more hospital capacity), there currently are no hospital beds left. The same is true for the surrounding 19 counties in Texas. School started for much of the area last week. ()
7. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers

are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link:

("In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")

8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.

9. I have worked hard (while taking care of patients with COVID) to avoid bringing COVID home to my children. I do not want to risk my sons getting infected because my youngest is only 10 and can not get the vaccine yet. It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.

10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

- Allegheny Valley
- Avonworth
- Carlynton
- East Allegheny
- Fox Chapel
- Greensburg Salem
- Hampton
- Keystone Oaks
- Moon
- Mt. Lebanon
- Northgate
- Pittsburgh Public Schools
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
- Carnegie Mellon University

Additionally many businesses are mandating universal masking as well.

11. The North Allegheny School Board has made mask wearing "optional." This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole

additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to possible physical violence between students, as well as emotional ramifications caused by fear of being ostracized through peer pressure. It will also cause disruptions in teaching to manage behaviors.

12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the "three R's"— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.

13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is optional, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.

14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.

15. Further, Affiant sayeth not.

Dated: August 20, 2021

By _____

Lynne Williams, MD, PhD

Primary Care Physician

Affiliated Faculty at the University of Pittsburgh School of Medicine.

"All it takes for evil to flourish is for good men to do nothing." Edmund Burke

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412-391-4460 phone

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Love the world, fiercely,

Lynne

Lynne Williams, MD PhD
412-849-0975

Executive Director, Southwest PA AHEC
6 Loop St, Ste 3; Pittsburgh PA 15215
412-408-3485; lynne.williams@swpaahec.org

Co-Founder, Jeremiah's Place; www.jeremiahsplace.org

Physician, Hilltop Community Health Center

Affidavit of Suchun Ho, MD

1. I, Suchun Ho, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am board certified in the field of Physical Medicine and Rehabilitation with subspecialty board certification in Pain Medicine and Sports Medicine: Fellow of the American Academy of Physical Medicine and Rehabilitation, (FAAPMR). Also, I am a Core Faculty Clinical Assistant Professor of Physical Medicine and Rehabilitation, University of Pittsburgh Medical Center (UPMC). I am also faculty at the University of Pittsburgh School of Medicine.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR31lhYrprcNx-qscIlmODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.
6. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all the students are masked, ONLY the child with COVID must be kept home. The rest of the students can continue going to school, etc., if they're not defined as a close contact for another reason. With "optional masking," if one

child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K-12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.") Schools who have already started "mask optional" in other regions of the United States have quarantine numbers which support the argument that the best way for children to remain in person in school is to mask. There are already schools in Indiana who have closed after being only open for 1 week due to positive COVID cases and quarantines. Mitigation measures, which includes required masking, ensure that our students in the North Allegheny School District will have the best chance of remaining in person in school. Reactionary measures, as is currently set forth with the mask optional plan with a possible revisit on September 22, 2021, will be extremely disruptive.

7. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
8. I have seen patients with long haul COVID. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place, it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
9. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

- Allegheny Valley
- Avonworth
- Carlynton
- East Allegheny
- Fox Chapel
- Greensburg Salem


- Hampton
- Keystone Oaks
- Moon
- Mt. Lebanon
- Northgate
- Pine-Richland
- Pittsburgh Public Schools
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
- Carnegie Mellon University

Additionally, many businesses are mandating universal masking as well.

10. The North Allegheny School Board has made mask wearing “optional.” This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to possible physical violence between students, as well as emotional ramifications caused by fear of being ostracized through peer pressure.
11. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
12. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is option, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.

13. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.
14. Further, Affiant sayeth not.

Dated: August 20, 2021

By 
Suehun Ho, MD, FAAPMR,
Clinical Assistant Professor of Physical Medicine
and Rehabilitation
University of Pittsburgh School of Medicine
Physical Medicine and Rehabilitation Core Faculty,
UPMC

Affidavit of Ana Radovic-Stakic, MD

1. I, Ana Radovic-Stakic, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a Fellow of the American Academy of Pediatrics, (FAAP). Also, I practice Pediatrics with a subspecialty in Adolescent Medicine, at Children's Hospital of Pittsburgh, University of Pittsburgh Medical Center (UPMC) and am an Assistant Professor of Pediatrics at the University of Pittsburgh School of Medicine.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at UPMC Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscIIrnmODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
6. Also, it is now determined that the delta variant can unfortunately be transmitted very well even by vaccinated individuals. See (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w). COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, they could transmit COVID to his/her students, even if the students are wearing

a mask. If a vaccinated but unmasked high schooler is wearing a mask, they could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.

7. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")
8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
9. I have worked hard (while taking care of patients with COVID and especially the consequences of the pandemic with regards to COVID in the office) to avoid bringing COVID home to my children. I have made sacrifices to keep my kids in cyber academy last year with the hope that this year, there would be standardized regulations that would keep kids safe at NA. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

-Allegheny Valley
-Avonworth

- Carlynton
- East Allegheny
- Fox Chapel
- Greensburg Salem
- Hampton
- Keystone Oaks
- Moon
- Mt. Lebanon
- Northgate
- Pittsburgh Public Schools
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
- Carnegie Mellon University

Additionally many businesses are mandating universal masking as well.

11. The North Allegheny School Board has made mask wearing “optional.” This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to emotional ramifications. I provide care to adolescents with depression, anxiety, and suicidality. Many have been affected by the pandemic, and their anxiety is made worse by the uncertainty for the future as well as social isolation. Without doing our best to ensure that children will not have to be removed due to quarantining as described above, they will continue to experience uncertainty and social isolation. Many children experience social anxiety, and if some are masked and some are not masked, this anxiety will increase. Other children are having increased fear of getting sick from COVID and this will interfere with their learning due to heightened anxiety. The NA district invited me to sit on a panel due to my expertise in adolescent mental health and I understand that they are very concerned about the mental health consequences of the pandemic. Parents’ stress additionally contributes to poor mental health in their children. Parents who experience consequences of uncertainty in whether their child will be safe at school will face higher stress and steady employment concerns due to increased changes in remote learning requirements due to quarantine if there is increased COVID spread due to low masking. Not all families have equal access to childcare and learning helpers at home. These educational and developmental setbacks will affect children with disability and in low income households disproportionately.
12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a

field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.

13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is option, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Also school staff and teachers who are at risk may contract COVID from students. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.
14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.
15. Further, Affiant sayeth not.

Dated: August 20, 2021

By _____

A handwritten signature in black ink, appearing to read 'AR', written over a horizontal line.

Ana Radovic-Stakic, MD, FAAP,
Assistant Professor of Pediatrics, University of
Pittsburgh School of Medicine, UPMC Children's
Hospital of Pittsburgh

Affidavit of Abigail Schlesinger, MD

1. I, Abigail Schlesinger, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a Board Certified General and Child and Adolescent Psychiatrist, American Board of Psychiatry and Neurology. I am the Chief of Child & Adolescent Psychiatry and Integrated Care, UPMC Western Psychiatric Hospital and Children's Hospital of Pittsburgh. I practice Child and Adolescent Psychiatry, and am a Core Faculty Clinical Associate Professor of Psychiatry and Pediatrics, University of Pittsburgh School of Medicine
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscllrnODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
6. Also, it is now determined that the delta variant can unfortunately be transmitted very well even by vaccinated individuals. See (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w). COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are

wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.

7. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")
8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
9. I have worked hard to avoid bringing COVID home to my family. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12 years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

- Allegheny Valley
- Avonworth
- Carlynton
- East Allegheny
- Fox Chapel
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- Hampton
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- Moon
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Additionally many businesses are mandating universal masking as well.

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12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is option, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.
14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will

result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.

15. Further, Affiant sayeth not.



Dated: August 20, 2021

By __Abigail Schlesinger MD,
Clinical Associate Professor of Psychiatry and
Pediatrics, University of Pittsburgh School of
Medicine, UPMC
Chief Child and Adolescent Psychiatry and
Integrated Care, UPMC Western Psychiatric
Hospital and Children's Hospital of Pittsburgh

Affidavit of Ankur Puri, MD, FCCP

1. I, Ankur Puri, MD, FCCP, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a Pulmonary, Critical Care and Sleep Physician practising locally and am a Fellow Of the American College Of Chest Physicians.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
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COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
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(https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w).
COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.

7. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K-12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")
8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
9. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:
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Additionally many businesses are mandating universal masking as well.

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12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is optional, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.
14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to

implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.

Dated: August 21, 2021

By 
Ankur Puri, MD, FCCP
Pulmonary, Sleep & Critical Care Medicine

Affidavit of Arvind Venkat, MD, FACEP

1. I, Arvind Venkat, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a practicing emergency physician at Allegheny Health Network, Pittsburgh, PA, core faculty for the emergency medicine residency program at Allegheny General Hospital, Pittsburgh, PA, Professor of Emergency Medicine, Drexel University College of Medicine, Philadelphia, PA, and a Fellow of the American College of Emergency Physicians.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscIIrnODacnAGNQOc77E3_rlW52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
6. Also, it is now determined that the delta variant can unfortunately be transmitted very well even by vaccinated individuals. See (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w). COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she

could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.

7. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K-12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")
8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
9. I have worked hard (while taking care of patients with COVID in the hospital) to avoid bringing COVID home to my children. I do not want to risk them getting infected when they are so close to being vaccinated, (my son is under 12years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:
 - Allegheny Valley
 - Avonworth
 - Carlynton
 - East Allegheny
 - Fox Chapel
 - Greensburg Salem

- Hampton
- Keystone Oaks
- Moon
- Mt. Lebanon
- Northgate
- Pittsburgh Public Schools
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
- Carnegie Mellon University


Additionally many businesses are mandating universal masking as well.

11. The North Allegheny School Board has made mask wearing “optional.” This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to possible physical violence between students, as well as emotional ramifications caused by fear of being ostracized through peer pressure.
12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is option, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.
14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will

result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.

15. Further, Affiant sayeth not.

Dated: August 20, 2021

By 
Arvind Venkat, MD, FACEP
Attending Physician
Core Faculty, Emergency Medicine Residency
Department of Emergency Medicine
Allegheny Health Network
Pittsburgh, PA

Professor of Emergency Medicine
Drexel University College of Medicine
Philadelphia, PA

Affidavit of Kimberly Clinebell, MD

1. I, Kimberly Clinebell, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am board certified in both psychiatry and child and adolescent psychiatry by the American Board of Psychiatry and Neurology. I am the Medical Director for the Pine Center Adolescent Partial Hospitalization Program and Intensive Outpatient Programs. Also, I practice adult, child and adolescent psychiatry, and am a Clinical Assistant Professor of Psychiatry, University of Pittsburgh School of Medicine.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscllrnODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
6. Also, it is now determined that the delta variant can unfortunately be transmitted very well even by vaccinated individuals. See (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w). COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are

wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.

7. Universal masking will help keep kids in school by preventing the spread of infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K-12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")
8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
9. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12 years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

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- Avonworth
- Carlynton
- East Allegheny
- Fox Chapel

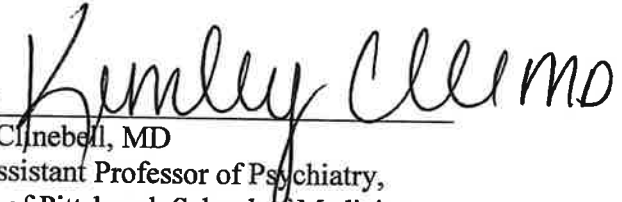
- Greensburg Salem
- Hampton
- Keystone Oaks
- Moon
- Mt. Lebanon
- Northgate
- Pittsburgh Public Schools
- Quaker Valley
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
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Additionally many businesses are mandating universal masking as well.

11. The North Allegheny School Board has made mask wearing “optional.” This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to possible physical violence between students, as well as emotional ramifications caused by fear of being ostracized through peer pressure.
12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is option, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.

14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.
15. Further, Affiant sayeth not.

Dated: August 20, 2021

By 
Kimberly Clinebell, MD
Clinical Assistant Professor of Psychiatry,
University of Pittsburgh School of Medicine,
Medical Director, Pine Adolescent PHP/IOPs

Affidavit of Lan Coffman, MD

1. I, Lan Coffman, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a Core Faculty Assistant Professor of Medicine at the University of Pittsburgh Medical Center (UPMC).
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscllmODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.
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with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")

7. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
8. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
9. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:


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13. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.
14. Further, Affiant sayeth not.

Dated: August 21, 2021

By 
Lan Coffman, MD, PhD
Assistant Professor of Medicine, University of
Pittsburgh School of Medicine, UPMC

Affidavit of Rachel Torok, MD

1. I, Rachel Torok, am a medical doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am a board certified pediatrician and pediatric cardiologist. I am an Assistant Professor of Pediatrics at the University of Pittsburgh School of Medicine and a Staff Pediatric Cardiologist at the University of Pittsburgh Children's Hospital of Pittsburgh.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%. (<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the Centers for Disease Control. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscIIrmODacnAGNOQc77E3_rlW52FvllnhMgUPOcscDNs. Universal masking in school is also recommended by the American Academy of Pediatrics: "The AAP advocates for all students, teachers and staff to wear masks while indoors in school." See <https://www.aappublications.org/news/2021/07/18/schools-071821>.
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals. (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w) COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
6. Also, it is now determined that the delta variant can unfortunately be transmitted very well even by vaccinated individuals. See (https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w). COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get

COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.

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8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID but is only minimally protected if someone around him is unmasked and has COVID.
9. I have personally seen and cared for critically ill children as inpatients at Children's Hospital of Pittsburgh as the result of COVID-19 and its associated multisystem inflammatory syndrome in children (MIS-C). Children are absolutely affected by this disease, some of whom will have long term cardiac problems. I have worked hard to take care of the children of this community while also being diligent to wear appropriate personal protective equipment to protect my young children, who are not yet eligible for COVID-19 vaccination. My children have stayed home or gone to school. We cannot have sacrificed so much as a community over the past 18 months to then send our kids into school, where they are supposed to be safe, unprotected against this deadly virus. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large, and lives will be lost that could have been saved.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:

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Additionally many businesses are mandating universal masking as well.

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12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is optional, then the quarantined children will miss the social interaction of in-

person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because the CDC and AAP recommendations designed to protect us were not followed is unacceptable. Masks have been shown to be safe in children and are worn extensively in Children's Hospital of Pittsburgh.

14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.
15. Further, Affiant sayeth not.

Dated: August 20, 2021

By 
Rachel Torok, MD
Assistant Professor of Pediatrics, University of
Pittsburgh School of Medicine, University of
Pittsburgh Children's Hospital of Pittsburgh

Affidavit of Sona Puri, MD

1. I, Sona Puri, MD, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. I am an Internal Medicine Physician practising locally.
2. I am submitting this affidavit in support of the Court entering a Temporary Restraining Order due to my sincere and immediate concerns for the health, safety, and well-being of the children of the North Allegheny School District, the employees of the school district and for the general population of Allegheny County caused by the risk of spreading Covid-19 caused by the School Board of North Allegheny School District's decision to make mask-wearing optional for grades K-12.
3. There has been a significant rise in the number of COVID cases in Allegheny County. The Infectious Disease division at Children's Hospital of Pittsburgh is tracking this and is seeing a concerning trend upwards for COVID cases. Cases in Allegheny County are up ~93% compared to last week. We are now at "high" transmission rate. New hospital admissions are up 25%.
(<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>)
4. Universal masking is recommended by the CDC. "UPDATE: Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place." See https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html?fbclid=IwAR311hYrprcNx-qscIlmODacnAGNQOc77E3_rlw52FvllnhMgUPQcscDNs
5. There is new information that the Delta variant of COVID can unfortunately be transmitted very well even by vaccinated individuals.
(https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w)
COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection.
6. Also, it is now determined that the delta variant can unfortunately be transmitted very well even by vaccinated individuals. See
(https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w).
COVID can be transmitted into mucous membranes, including the eyes, so children wearing masks in rooms with unmasked individuals (despite vaccination status) are at risk for infection. For example, if a vaccinated but unmasked teacher were to get COVID, he/she could transmit COVID to his/her students, even if the students are wearing a mask. If a vaccinated but unmasked high schooler is wearing a mask, he/she could transmit to vaccinated and unvaccinated classmates/teachers. Masks work.
7. Universal masking will help keep kids in school by preventing the spread of

infection and quarantines. New recommendations by the CDC for quarantining EXCLUDES as a close contact children who are masked who are around other children who are masked. So, for example, if a student has COVID, and all of the students are masked, ONLY the child with COVID has to be kept home. The rest of the kids can keep going to school, etc., if they're not defined as a close contact for another reason. With "optional masking", if one child has COVID, anyone who is a close contact must quarantine, which would likely be all the children in the classroom. Numbers are climbing. As of yesterday, 15% of people with COVID in Allegheny County (48/316) are under 12 years of age and not eligible for the vaccine. Masking will prevent quarantines and allow these kids to attend school. See the CDC link: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ("In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time.")

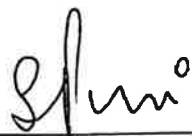
8. Masking protects those around you. Saying that my child can wear a mask if he wants to protect himself from COVID while others around him do not mask does not make scientific sense. Medical studies demonstrate that if my child is wearing a mask, he is protecting those around him in case he has COVID, but is only minimally protected if someone around him is unmasked and has COVID.
9. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
10. It is my understanding that many school districts in the area are implementing universal masking based on increasing numbers of COVID cases and the likely higher risk of transmission of the Delta variant. Schools who have adopted universal masking per CDC guidelines are:
 - Allegheny Valley
 - Avonworth
 - Carlynton
 - East Allegheny
 - Fox Chapel
 - Greensburg Salem
 - Hampton
 - Keystone Oaks
 - Moon
 - Mt. Lebanon

- Northgate
- Pittsburgh Public Schools
- Riverview
- South Fayette
- West Allegheny
- Wilkinsburg
- Woodland Hills
- University of Pittsburgh
- Carnegie Mellon University

Additionally many businesses are mandating universal masking as well.

11. The North Allegheny School Board has made mask wearing “optional.” This means the School Board is leaving the decision of whether to wear masks at school to 5 year olds in kindergarten, all the way to 17 and 18 year olds as seniors in high school. This creates a whole additional set of problems and concerns related to intimidation, harassment, and bullying which could lead to possible physical violence between students, as well as emotional ramifications caused by fear of being ostracized through peer pressure.
12. I recommend universal masking in the School District because it will make a positive impact for all of the above-expressed reasons. I believe this is the recommendation that will keep our kids in in-person school AND keep our students/staff/teachers healthy. This recommendation also shows to our students that striving to become an expert in a field such as medicine or epidemiology is worthwhile, since their evidence-based recommendations and decades of education will be respected. Universal masking also emphasizes #bethekindkid, as it is kind to want to protect your community from getting COVID-19. This recommendation also reinforces the “three R’s”— Respect for others by protecting them from COVID by wearing a mask, Resilience in wearing a mask to avoid quarantines and for the greater good, and Responsibility to yourself and the community to stop the spread of the virus.
13. There are unvaccinated and vaccinated children in the school district. Therefore, they all need to be masked in order to avoid not only the spread of the virus/illness but also to prevent quarantines to the children who are exposed to a student who contracts COVID. If masking is optional, then the quarantined children will miss the social interaction of in-person schooling, while they are kept away from the rest of the students, because they were exposed to someone who was infected. Therefore, optional masking is ineffective and is harmful to the entire student body as well as the community at large. Any child missing the opportunity to grow socially, physically and mentally because CDC recommendations designed to protect us were not followed is unacceptable.
14. It is my medical opinion, that immediate and irreparable injury, loss, or damage will result if the School Board for the North Allegheny School District refuses to implement mitigation measures against COVID-19, such as required mask wearing for all students and employees.

Dated: August 21, 2021

By 
Sona Puri, MD
Internal Medicine

Affidavit of Tushita Mayanil, MD

1. I, Tushita Mayanil, am a Medical Doctor, licensed to practice medicine in the Commonwealth of Pennsylvania. Also, I practice General and Child and Adolescent Psychiatry, and am an Assistant Professor of Psychiatry, University of Pittsburgh School of Medicine and a staff physician at the University of Pittsburgh Medical Center (UPMC).
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9. I have worked hard (while taking care of patients with COVID in the hospital & office) to avoid bringing COVID home to my children. I do not want to risk them getting infected when they are so close to being vaccinated, (they are under 12years old). It would be unfortunate if vaccinated and unvaccinated children were kept safe at home and then exposed in a classroom. I cannot in good conscience remain silent, based upon what I know and have seen personally regarding the spread of COVID when no masks are worn in an indoor setting where there is prolonged close contact. With no required masking in place it is inevitable that the Delta variant of COVID will spread throughout the school district and into the community at large.
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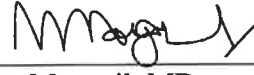
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15. Further, Affiant sayeth not.

Dated: August 21, 2021

By 

Tushita Mayanil, MD,
Assistant Professor of Psychiatry,
University of Pittsburgh School of Medicine,
UPMC